ALCOHOL INFORMATION COMMITTEE

# PROHIBITION AT ITS WORST

REVISED EDITION

IRVING FISHER

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# PROHIBITION AT ITS WORST

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THE DISTRIBUTION OF INFORMATION ON THE ALCOHOL QUESTION AND THE WORKING OF THE EIGHTEENTH AMENDMENT

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REVISED

BY

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TO

THE MEMORY OF

CHARLES W. ELIOT

WHO, IN HIS FAR-SEEING LEADERSHIP,

DID NOT OVERLOOK THE MOVEMENT

OF WHICH THIS BOOK TREATS.

## PREFACE

This book is the outgrowth of my testimony at the Hearings of the Sub-committee of the Committee on the Judiciary of the United States Senate in April, 1926.

It embodies the notes which I have been collecting on the alcohol problem for full twenty years—during which time I have radically changed my attitude toward Prohibition.

It also endeavors to cover all the important data, on both sides of the controversy, which were presented at the Senate hearings.

For help in the preparation of the book I am deeply indebted to many persons, especially to Herbert B. Brougham, Robert E. Corradini, Karl G. Karsten, and Emily F. Robbins.

IRVING FISHER.

Yale University,
New Haven, Conn., August, 1926.

## INTRODUCTION TO THE FIFTH EDITION

"PROHIBITION AT ITS WORST" WAS FIRST PUBLISHED AT THE END OF SEPTEMBER, 1926, BY THE MACMILLAN COMPANY. IT IS NOW APPEARING UNDER THE AUSPICES OF THE "ALCOHOL INFORMATION COMMITTEE," FORMED FOR THE PURPOSE OF PROMOTING THE DISTRIBUTION OF INFORMATION ON THE ALCOHOL QUESTION AND THE WORKING OF THE EIGHTEENTH AMENDMENT. THE COMMITTEE HEREWITH PRESENTS THIS BOOK AS ITS FIRST CONTRIBUTION.

WHILE THE COMMITTEE IS ORGANIZED FOR THE PROMOTION OF SUCH LITERATURE, I ALONE ASSUME FULL RESPONSIBILITY FOR ANY STATEMENT OF FACT CONTAINED IN THIS BOOK.

IRVING FISHER.

FEBRUARY 11, 1927.

## SUGGESTIONS FOR READERS

1. The numerical references in parentheses following quotations are to the "Index of Authors and Titles" at the end of the book.

2. Those wishing merely to skim this book may read the Charts only. They are self-explanatory, even without the supplementary reading matter below each.

3. The Charts should not be omitted by any reader.

4. Those chiefly interested in the practical working and shortcomings of Prohibition should read Chapters II, III, IV, V, VI, VII, XI, XIII.

5. Those chiefly interested in the "personal liberty" argument should read Chapters XII, XIV.

6. Those chiefly interested in the New York Referendum should read Chapter XVI.

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# PROHIBITION AT ITS WORST

## CHAPTER I

### How I Became Interested

### *My Own Health*

It is now twenty-five years since I was first attracted to the alcohol problem. When starting for Colorado in 1899 to repair my health I was warned by Dr. Trudeau not to let the Colorado doctors give me whisky; for at that time alcohol was still regarded by many physicians as a valuable medicine for numerous diseases.

While recovering my health I undertook a systematic study of how to get, and keep, well. In the course of this study I soon found that, according to the best evidence, alcohol is a physiological poison, and out of place in the human body. This conclusion is now commonly accepted by reputable physiologists. Some of the evidence for it is given in this book.

Having thus reached the conclusion that total abstinence, rather than "temperance," is the truer ideal, I soon became, for the sake of my own health, a teetotaler except for occasional sips of wine at my friends' tables. I also ceased to serve wine at

my own table except when entertaining those who, I knew, especially desired and expected it.

I next applied the results of this study to my own professional subject, economics. I saw that the use of alcoholics was economically costly and wasteful to the nation, and in more ways than one.

### *Solution, Education of Youth*

The problem of how best to reduce this waste puzzled me, just as it is now puzzling many other people. I was then far from thinking that Prohibition was the best solution. I knew that all laws affecting personal habits are resented by those whose personal habits are thereby reflected on, and that such laws are, therefore, difficult to enforce. I realized then, as I realize now, that laws without sufficient public sentiment behind them are apt to become a dead letter and to lead to disrespect for law in general. It was clear, therefore, that, even if Prohibition were eventually desirable—which I did not then believe—the first and most important step toward the great objective (reduction in the flow of alcohol down human throats) must be the *education of the public.* I even hoped, with youthful enthusiasm, that such moral suasion would be rapid and effective, and tried to do my part.

It soon became apparent, however, that there was a flaw in this program—the same flaw as in the program of moral suasion as a sufficient solution of the problem of narcotic drugs. In fact, the alcohol

problem shaped itself in my mind as simply a special case of the narcotic problem.

The flaw in the moral suasion program as a complete solution of the problem of narcotics, alcohol included, is that *the will is weakened by the drug habit.*

Ordinarily, there is little or no use in preaching to a dope-fiend or a drunkard. His reason is convinced, but his will is not strong enough to follow his reason. His will has been destroyed by the drug habit and it is too late for the drug habit to be destroyed by the will.

I had noted that, occasionally, strong religious appeal does result in "conversion," as the Salvation Army is demonstrating every day. But no practical reformer expects any wholesale results from confirmed addicts. On the other hand, to the moderate users whose wills are only moderately impaired, the appeal to become total abstainers is itself only moderate. The moderate user generally sees no need of "reformation." He does not realize the subtle, steady damage being done to his body and mind, nor the seriousness of the risk he is running of becoming a confirmed addict.

Noting these things, I came to believe that the only class left to appeal to is the young, who have not yet reached even the half-way stages of the moderate users. The teaching of the effects of alcohol in the public schools, under the influence of the Women's Christian Temperance Union, seemed

to me the basic educational fact underlying alcohol reform in the United States.

*Also Necessary to Outlaw Saloon*

But such education, if not supplemented by legislation, is painfully slow. Moreover, without help from legislation, any such education of children is sure to be largely offset by the examples of their elders and the allurements of the saloon. It became clear to me that it was the saloon which kept up and increased the liquor habit. The real problem is the problem of new recruits. We may well forget the confirmed addict of this generation if we can prevent others from taking his place in the next. The great objective is to break the chain by which the custom of drinking is passed on from generation to generation. The use of liquor is no more natural than the use of opium. When either is once discontinued it can stay discontinued.

As a practical student I reached the inevitable conclusion that, besides education, there must be some *legislation* to lessen, or abolish, the opportunity of the saloon-keeper, the brewer, etc., to ensnare new recruits.

Accordingly I studied the dispensary system and other devices to remove or reduce the profit-motive and diminish the advertising of liquors. These devices have undoubtedly some value in Scandinavia, but are disappointing as a complete solution of the problem.

### *Reluctantly Converted to Prohibition*

At last I was reluctantly compelled to conclude that Prohibition is the ultimate solution, when public sentiment is adequate to enforce it. What finally converted me was the experience of the Western states which tried it. I was particularly impressed by the experience of the State of Washington. Certain cities there voted against State Constitutional Prohibition but were defeated by the country districts. Later, however, when the inevitable attempt came to "modify," and to permit so-called "light wines and beer," these same cities voted dry!

The reason was the surprising prosperity which followed State Prohibition. One city editor, who had predicted business depression and had pointed to definite saloon sites as destined to remain vacant and for rent, had the manhood to confess his error and advocate that Prohibition should remain unimpaired. This sort of experience beat down my conservatism. I found then, as I have found since, that we cautious Easterners have much to learn from the venturesome West.

### *War Conference on Alcohol*

A new impulse was given to my study of the alcohol problem by the war. When the war broke out, I offered my services to the Council of National Defense. I expected to be assigned to some strictly

economic task; but was asked to call a conference on Alcohol to meet with the conference being called by Colonel Snow on Venereal Disease, since Alcohol and Venereal Disease are always the twin obstacles to the soldiers' fitness to fight.

Accordingly, I called such a conference of leading economists and physicians at the New Willard Hotel in Washington in April, 1917. The conference recommended two war measures:

(1) The establishing of a Dry Zone around each Army Cantonment, and

(2) *War-time* Prohibition.

The first recommendation was transmitted, through various sub-committees, to the Council of National Defense; was approved by the Council, and was finally enacted into law. It was, I believe, a very important factor in keeping up the efficiency of our soldiers.

### *Brewers Block War-time Prohibition*

The second recommendation, that for War-time Prohibition, was likewise approved by the four successive committees through which it had to pass on its way to the Council of National Defense. Then something happened!

The recommendation was scheduled to be presented to the Council on April 17, 1917, together with that for a Dry Zone around the Cantonments. The spokesman to present the matter was selected. The small sub-committee that had it in charge met

a half-hour before the Council convened in order to rehearse the program.

We were to have been met by Dr. Franklin Martin of the Council. He did not appear, however, until the half-hour had expired. He then said, cryptically, that only the Dry Zone recommendation could be presented. Thus War-time Prohibition went by the board—for the time.

Afterward, on inquiry, I learned what had happened. In the course of sounding out public opinion I had sent several hundred telegrams to business leaders and others, asking whether they favored War-time Prohibition. Most business men, and practically all economists, approved of Prohibition as a war measure. It so happened that one of the telegrams, reaching a business man who disapproved of the proposal, was handed to a brewer.

The brewers' forces had long been superbly organized for action and they proceeded at once to train their machine-guns on the members of the Council of National Defense. One member, Mr. Gompers, I was told, received fifty telegrams in a single day, protesting against any War-time Prohibition. Intimations or threats were made that, if any such action were taken, the Council of National Defense would be put out of business.

Daniel Willard, chairman of the Council, though personally favorable to Prohibition, felt it unwise, as did others, to permit the matter to be presented, and Dr. Martin was requested to call it off.

The special interest of the brewers won against the general interest of the nation.

Later, a permanent Sub-committee of the Council was appointed on Alcohol, and I was made chairman. This Committee also favored War-time Prohibition. But its recommendations had no chance even to reach the Council. The brewers had effectually blocked any such action.

### *Blocked Again by Filibuster*

The result was that those favoring War-time Prohibition—including the members of the Sub-committee just mentioned, namely, Dr. Haven Emerson, Dr. Eugene L. Fisk, Professor Alonzo Taylor, Rev. Charles Stelzle, and myself—took steps to press the matter directly with Congress. This had already been independently undertaken by the Anti-Saloon League.

The importance of War-time Prohibition for food conservation was conclusively proved, when Professor Alonzo Taylor showed that the barley used in beer production destroyed potentially eleven million loaves of bread a day.

In Congress the brewers' opposition again presented itself. But, at last, Congressman Randall succeeded in so amending the Lever Food bill as to provide for War-time Prohibition.

This food bill, with the War-time Prohibition amendment attached, passed the House of Representatives, but was blocked in the Senate by the brewing influences. The instant the House passed

the bill, literally a trainload of brewers swarmed into Washington. As was subsequently brought out by a Senate investigation, the *Washington Times* was bought almost overnight by a well-known editor with money "loaned" to him, without interest, by C. W. Feigenspan, President of the United States Brewers Association (4, pp. 9-10).

Senator Penrose of Pennsylvania, a notorious Wet, and others threatened to prevent the passage of the food bill until, or unless, the War-time Prohibition clause was eliminated, and they sought to conceal their own guilt in delaying that measure by trying to cast the responsibility for delay on the other side. On one occasion Senator Penrose made a speech definitely accusing the Drys of delaying the passage of the bill, whereupon Senator Sheppard, for the Drys, stated that his side was ready for a vote then and there, and moved for unanimous consent to take the vote immediately. Senator Penrose looked sheepishly around to find some friend willing to object to such unanimous consent. But his friends merely smiled at his predicament and he was forced, amid laughter, to object himself and thereby to accept the responsibility for delay. He knew that to prevent a vote was, in fact, the only way to defeat War-time Prohibition, for there were plenty of votes in the Senate to pass it if it could be brought to a vote.

What was happening was what so often happens in our Senate, with its antiquated rules making it possible for a minority to block legislation by filibuster. When, as in war time, quick action is essen-

tial, an unpatriotic and selfish minority has the country by the throat.

It was imperative that the Lever Food bill should be passed at once. The War-time Prohibition features of the bill were important, but not so important as other features.

It soon appeared that, in view of the attitude of the Wets in the Senate, the food bill would be delayed indefinitely unless the prohibition clauses were eliminated. Accordingly, President Wilson requested the Drys, through a letter addressed to the Anti-Saloon League, to withdraw these prohibition clauses.

I remember sitting up most of a June night in 1917 laboring with the Anti-Saloon League leaders to persuade them to accede to the President's request, in the interest of immediate food legislation, and in the expectation of bringing up War-time Prohibition again as a separate measure.

As is well known, the President's request was heeded. War-time Prohibition once more went down to defeat.

It was the brewers, primarily, who had won; for their influence had caused the filibuster that impelled the President to make his request.

### *Brewers Hoist with Their Own Petard*

It was as an indirect result of this second defeat of War-time Prohibition that Constitutional Prohibition came about! The brewers found that, unwit-

tingly, they had jumped out of the frying pan into the fire!

Personally I had been very reluctant to see Constitutional Prohibition tried until War-time Prohibition had been tried first. To me, Prohibition was, and is, merely an experiment in the long fight against alcohol; and I feared to see that experiment tried permanently and irrevocably until after it had been tested temporarily.

My own program and that of the committees with which I had worked was to get War-time Prohibition enacted on its merits as a war measure for the duration of the war, and for one year thereafter.

Then, on the basis of the record of War-time Prohibition, and after all war hysteria was over, Permanent Prohibition might properly be submitted to the people for their deliberate and final decision.

But we all know what happens to the best laid plans of mice and men. Neither my plans to take one little step first, nor the brewers' plans to crush out all Prohibition, were to be realized.

### *National Prohibition Comes Too Soon*

What actually happened was that Constitutional Prohibition came first. The resolution submitting it to the States passed the Senate August 1, 1917, and the House December 18, 1917.

War-time Prohibition did come eventually. But when it came not only had Constitutional Prohibi-

tion been provided for, but the war itself was over! President Wilson signed the bill November 21, 1918, and the law became operative July 1, 1919. One could scarcely imagine a more illogical program.

The reason was that the Senators who had acceded to President Wilson's request to withdraw the War-time Prohibition clauses from the Food Act thereby so disappointed and angered their dry constituents that these Senators felt constrained to do *something* to set themselves right.

And the Anti-Saloon League very astutely took advantage of the situation to propose the Act submitting the Eighteenth Amendment. Other important agencies which helped to bring that Amendment about were the Women's Christian Temperance Union, the various church temperance organizations, especially the Methodist, the Methodist Church South, the Baptist, and the Presbyterian, the Order of Good Templars, and the Prohibition party.

It was easy even for wet Senators to let this act pass, on the theory that it did not really enact Prohibition, but merely submitted it to the States.

The Act was passed and Constitutional Prohibition was on its way.

When three-quarters of the States had ratified, the Amendment became a part of the Constitution. But under it Prohibition was not to be effective until one year later, namely, January 17, 1920.

*War-time Prohibition After War Time*

Meantime, the measure for War-time Prohibition had been slowly making progress in Congress, in spite of all the opposition and delays; and after the Eighteenth Amendment was adopted and ratified by the States that opposition became helpless.

The result was that, though the war was over, the long pending War-time Prohibition bill was finally passed as a means of filling in the gap between the adoption of Constitutional Prohibition and its taking effect.

This was pretty hard on the brewers, who had counted on a year's breathing space; but the brewers received and deserved scant sympathy at that juncture.

At a meeting in Atlantic City soon after these events, Wayne B. Wheeler paid me the somewhat doubtful compliment of having "done more to bring about War-time Prohibition than any other man who wears shoe leather." "War-time" Prohibition, as such, never really existed. Nor did the act finally passed, and called War-time Prohibition, ever serve as a preliminary experiment by which we might judge of the value of Permanent Prohibition.

Evidently Constitutional Prohibition came on the country somewhat prematurely. That is to say, it came before certain sections, notably the East and the great cities, were prepared for it by education.

*Why Turn Back Now?*

But while, according to a logical program, Constitutional Prohibition was premature, can we and ought we, as a practical proposition, at this late date, go back and begin all over, only to end, in all probability, in Prohibition again at a later time, after the uselessness of other, halfway, measures shall have been demonstrated anew?

May it not be more practical to go forward instead of backward, and to do now the educating after Prohibition, which, by rights, should have been done before Prohibition?

Certainly, before taking any radical step, we ought to weigh carefully the facts presented to us during the last six years. We must "face the facts" —the facts good and bad, favorable and unfavorable, and be led by what they reveal.

That is the object of this book. If Prohibition at its worst, during these first trying years when New York, for instance, was far from ready for it, and when, consequently, it has proved so bewildering and offensive to many good people, is nevertheless actually accomplishing its main purpose of suppressing the saloon and lessening the use of alcohol, we may well think twice before giving it up until it is tried out further.

The most important question of fact is whether the new recruits among the youth are more or less numerous under Prohibition. In Chapter II new evidence, never before presented, will be given on this question.

## CHAPTER II

### New Recruits Among Drinkers Fall Off

*Enter the Moderation League*

During the last six years in which we have been under National Prohibition, its imposition by the Eighteenth Amendment and the Volstead Act have won distinguished foes. The Moderation League, which presented to the Senatorial Sub-committee on the Judiciary in Washington during April, 1926, "A National Survey of Conditions under Prohibition, 1925" (1, pp. 339-365),* unlike earlier societies opposed to measures prohibiting or restricting the liquor traffic, is not made up of brewers and distillers. However they might unwittingly be subjected to the influences of the brewers, and, as I shall show later, be used in their interest, the eminent gentlemen of the Moderation League are personally above reproach.

The chairman of the board of the Moderation League is Austen G. Fox. On its executive committee are able and distinguished men—E. N. Brown, President of the St. Louis-San Francisco Railway Com-

* For full references see "List of Authors and Titles" at end of book.

pany; Franklin Remington, chairman of the board of the Foundation Company, and George Zabriskie. Among its members are John G. Agar, an eminent lawyer; Dr. William H. Welch and Dr. Llewellys F. Barker, of Johns Hopkins; Dr. Charles L. Dana, neurologist; Gano Dunn, President of the J. G. White Corporation; William N. Dykman, President of the New York State Bar Association; the Right Reverend Charles Fiske, Bishop of the Protestant Episcopal Church of Central New York; Haley Fiske, President of the Metropolitan Life Insurance Company; Dr. Samuel W. Lambert, formerly Dean of the faculty, College of Physicians and Surgeons; Henry S. Pritchett, President of the Carnegie Foundation for the Advancement of Teaching; James Speyer, banker; William C. Redfield, Secretary of Commerce under President Wilson; Dr. George David Stewart, President of the New York Academy of Medicine, and Elihu Root, Secretary of State under President Roosevelt (1, pp. 340-341).

This group of representative men has done a courageous thing, and what they have to say in separating themselves from the position of support of National Prohibition that is taken by the great majority of the churches and their leaders, heads of educational institutions, captains of finance and of business, and administrative officers of the states and nation, for their own sakes and in the public interest, merits careful attention. They state their

aim to be, "The restoration of temperance" (1, p. 340).

In pointing to the admitted abuses under the Prohibition law, they state that it lacks public support. And they quote this pronouncement of Arthur Twining Hadley, President Emeritus of Yale University:

> When the people as a body are of an orderly and law-abiding disposition and the methods of government are defective, it is often more important to focus public opinion on these defects and correct them than to try to persuade the nation to accept laws which do not have public opinion behind them (1, p. 341).

Moreover, they present the following passage from the address by President Calvin Coolidge to the American Bar Association, August 10, 1922:

> In a republic the law reflects, rather than makes, the standard of conduct. The attempt to dragoon the body when the need is to convince the soul will end only in revolt.

And they cite this conclusion from the report of the Federal Council of Churches of Christ in America (2, p. 65), dated September, 1925:

> If infractions of the law incident to the retail trade in liquor should continue on the present scale, nothing but a sweeping change in public opinion can prevent the effectual nullification of the National Prohibition Act (1, p. 341).

The eminent gentlemen of the Moderation League, and the important body of public opinion in all walks of life to which they appeal, may not have observed with patience, or at all, the later declaration made by the administrative committee of the Federal Council of Churches, in October, 1925:

> That the policy of Prohibition is the deliberately and permanently established policy of this nation; that this policy has not failed, but on the contrary has already yielded results which fully justify its adoption; that the liquor traffic and the saloon must not come back again; and that the churches must set themselves with new purpose to see that Prohibition is enforced by law and sustained by the national conscience.

### *"Face the Facts"*

The Association Against the Prohibition Amendment and the Moderation League tell us to "face the facts." So be it. To be mentally honest, we must frankly face *all* the facts. Some of these are not pleasant for Prohibitionists to face; others are not pleasant for its opponents. There seem to me to be nine great facts, or groups of facts, to face. These constitute the outline of this book:

(1) The present situation of imperfect enforcement is intolerable.

(2) Conditions are not, however, as bad as commonly represented.

(3) Prohibition has accomplished much good, hygienically, economically, and socially.

(4) The "personal liberty" argument is largely illusory.

(5) We cannot accomplish what the opponents of Prohibition really want by amending the Volstead Act, without thereby violating the Eighteenth Amendment.

(6) To repeal the Eighteenth Amendment is out of the question.

(7) To nullify it would mean disrespect for law of the most demoralizing kind.

(8) Therefore the only practicable solution is to enforce the law.

(9) Enforcement is a practical possibility.

I shall take up these nine points in their order. As to the first point—that is, the seriousness of the present situation—I have nothing to add to what the Moderation League presented in its summing up before the Senate Sub-committee on the Judiciary, together with such facts as were brought before the Sub-committee as to defects in law enforcement. These were presented by Federal District Attorney Emory R. Buckner, Senator William C. Bruce of Maryland, Senator Edge of New Jersey, and others. When referred to in these pages these facts will not be scanted.

### *The Moderation League Exaggerates*

We turn here to the second point. What the public most lacks is sufficiently striking evidence

that an exaggerated impression has been created as to the alleged failure of Prohibition. Some people now imagine that we actually have more drinking, drunkenness, crime, vice, corruption, and disrespect for law than before Prohibition. These people have certainly been misled, and I have carefully ascertained in what manner they and the eminent members of the Moderation League have been misled. It is unfortunate that the League's members failed to consult a professor of mathematical statistics before lending the prestige of their names to the figures of Mr. Shirk.

Stanley Shirk, research director of the Moderation League, is a lawyer who evidently needs statistical training. The chief exhibit of his report, as sponsored by the Moderation League, charts the arrests for drunkenness in 350 cities and towns of the United States from 1914 to 1920, inclusive. The curve of Mr. Shirk's chart covers the period of the licensed saloon from 1914 to 1916, inclusive; of wartime restrictions of alcoholic beverages from 1917 to 1919, inclusive, and, under the National Prohibition law, of the first five full years of its application. With the extent of accuracy of this chart and of companion exhibits, I shall deal in the next chapter.

### *Repeaters and First Offenders*

Among all of his exhibits and charts Mr. Shirk has failed to separate the records of first convictions for drunkenness from those of confirmed

drunkards—old rounders and "repeaters" who may be expected to persist in their potations under any and all difficulties until they sink into pauperdom and death. These habitués will get bootleg liquor anyhow, if it can be got at all.

But what about the first convictions of offenders —mostly young offenders—during the years of war-time restriction and National Prohibition? Do the court records show that they have increased or diminished?

I am indebted to Karl G. Karsten, one of the best American statistical authorities, for suggesting a very simple test as to the effectiveness of Prohibition. In New York, which many account the wettest city in the United States, with a population greater than that of several states, computations, made for me, from data of the Fingerprint Bureau,* New York City Magistrates Court, show a steady

*It is fortunate that the fingerprinting of all this class of offenders became the invariable practice in Greater New York, beginning with the year 1913; for it gives a consecutive record through the three important periods of the licensed saloon, war-time restrictions of the sale of alcoholic beverages, and National Prohibition, as charted by Mr. Shirk. We have thus a record of first, second, and third convictions for drunkenness throughout these periods, which becomes increasingly valuable as the years progress. It is conceivable that this record might be affected by the inclusion, as "first convictions," during 1913 and immediately succeeding years, of offenders who had really been convicted for drunkenness prior to the inception of fingerprinting. That would add to the totals of first convictions during the first years, making the contrast too sharp with the lessening of first offenders under war-time restrictions and National Prohibition. But a series of technical statistical tests indicates that this influence (the listing under first convictions of some who had been convicted prior to 1913) had substantially disappeared by 1916.

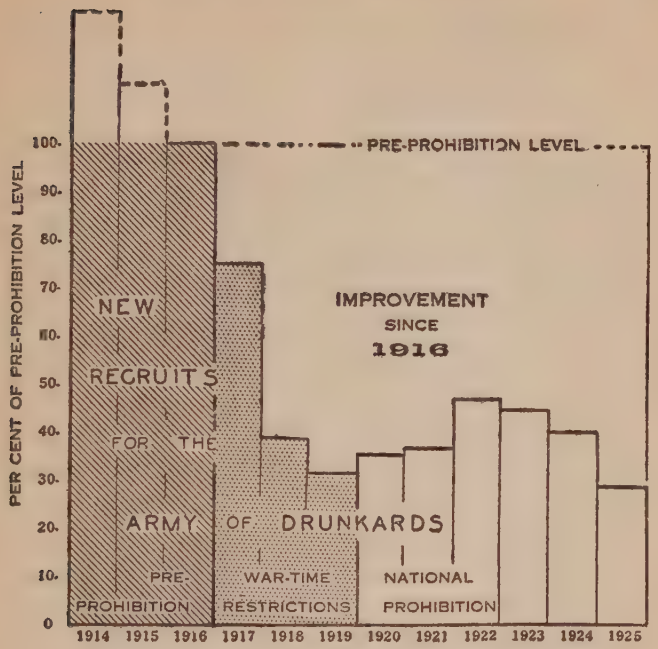
and pronounced decrease of first offenders (as indicated by convictions for drunkenness for the first time), from 24 per 10,000 population for the year 1914, to only 6 per 10,000 population for the year 1925!

They show that, for the year 1916, the number of first offenders per 10,000 population of New York City was 19. Then the war-time restrictions came. The number of first offenders fell to 14 per 10,000 population in 1917; to 7 in 1918, and 6 in 1919. In 1920, the first year of National Prohibition, the first offenders were 7 per 10,000 population; in 1921, 7; in 1922, 9; in 1923, 9; in 1924, 8, and in 1925, as already stated, they fell below 6 per 10,000 population (see Chart 1).

The confirmed drinker is a focus of infection spreading the drink habit. Yet every repeater in the record of arrests for drunkenness is revealed during this period as a steadily weakening factor of such infection up to 1925, the last year available.

In 1916 the number of first offenders was 10,126 in a population of 5,312,000; in 1925, the population had grown to 6,252,000; yet the number of first offenders fell to 3,517; while the total number of convictions in these two periods was 16,355 and 6,816, respectively.

Out of every 100 convictions for drunkenness in the year 1916, 62 were of first offenders and 38 of repeaters; but in 1925, out of 100 convictions, only




**1. FIRST CONVICTIONS FOR DRUNKENNESS**
**in New York City**

Showing that the number of first offenders has greatly decreased.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(First convictions for offense of intoxication per 10,000 population. Source: Fingerprint Bureau, City Magistrates Court, New York City.)

| 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of First Convictions | | | | | | | | | | | |
| 12585 | 11351 | 10126 | 7789 | 4076 | 3460 | 3854 | 4118 | 5276 | 5152 | 4687 | 3517 |
| Rate per 10,000 population | | | | | | | | | | | |
| **and per cent of the 1916 Level (19.1)** | | | | | | | | | | | |
| (24.5) | (21.7) | 19.1 | 14.4 | 7.4 | 6.2 | 6.8 | 7.1 | 8.9 | 8.6 | 7.6 | 5.5 |
| **(128)** | **(113)** | **100** | **75** | **39** | **32** | **36** | **37** | **47** | **45** | **40** | **29** |

51 were first offenders, while 49 were of recidivists, that is, repeaters.

*Even Repeaters Are Fewer*

The number of repeaters as shown by the number of convictions for drunkenness for the second time, fell from 2,290 in 1916 to 1,138 in 1925, while, in proportion to population, the fall was even greater.

The number of third convictions is of less importance, but also shows a decline during this period, as there were 1,139 convictions for drunkenness for the third time in 1916 and only 530 in 1925.

Will the eminent gentlemen of the Moderation League ponder these figures? Could a more typical, complete, and convincing single demonstration be nade of the rapidly weakening influence of the liquor traffic and the liquor habit upon the much-maligned flaming youth of this country, including our girls, than this record achieved in wet New York City? For there it was that the Old Guard of the liquor traffic succeeded in 1923 in hamstringing enforcement by the repeal of the Mullen-Gage law, sadly impairing any local coöperation with the Prohibition officers of the Federal Government.

If, under the severe tests obtaining in New York City, we find no justification for the loud claim that drunkenness in general, youthful drunkenness, and female drunkenness are increasing; but, instead, find that first offenders or first convictions have dwindled to less than a third of the pre-prohibition

numbers, and even convictions of old offenders diminished from 1916 to 1925, by more than one-half —the main contention of the Wets collapses at the start.

The startling fact stands out, of primary importance, that, even in New York City, Prohibition has succeeded in weakening, if not breaking, the chain of tradition by which the alcohol habit has, for ages, been handed down from each generation to the next.

## CHAPTER III

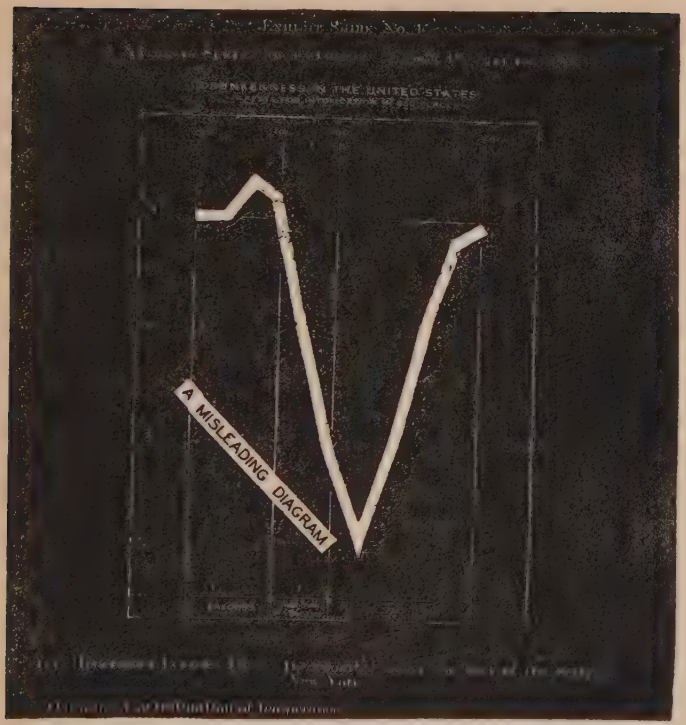
### Shirk, Statistician

*A Chart Without a Base-line*

I have intimated that Mr. Shirk's judgment and skill in presenting a statistical survey of the record of National Prohibition are faulty, and I have given a crucial case of the curbing of the liquor traffic and liquor habits in New York City during the periods of war-time restriction and National Prohibition. I have shown that the new recruits, of the rising generation, no longer swell the drink army. If the experience of that great city can be regarded as affording a cross-section of the good and bad of Prohibition enforcement in the nation, then Mr. Shirk's figures and conclusions are very sadly at fault, and exaggerate his case exceedingly; for the conclusion he draws from his chart of arrests for drunkenness in 350 cities and towns of the United States is that

> "during the severe bone-dry years of the Volstead act, there was such an astonishing increase that drunkenness just about reached the level of the old saloon years by 1924" (1, p. 342).

Mr. Shirk's chart (Chart 2), is perhaps unintentionally deceptive because it lacks a base-line; thus




**2. MISLEADING DIAGRAM PRESENTED BY THE WETS ON "DRUNKENNESS IN THE U. S."**

No allowance is made for population growth. The zero line is omitted; and faulty data are offered for fifty cities. See pages 34–38 on Chicago and Indianapolis.

the curve for the period of war-time restrictions and for the first year of National Prohibition makes the arrests seem to come down at first, to almost no arrests for drunkenness, whereas in actual fact these fell only somewhat below one-half. Thereafter, in the years 1921 to 1924, Mr. Shirk draws the line of arrests much higher than it should rise, because he fails wholly to allow for increase in population during this interval.

### *No Allowance for Increased Toxicity*

Another factor might be emphasized as affecting his conclusion. The intensely poisonous qualities of bootleg liquor, as attested at the Washington hearings by Assistant Secretary Andrews, in charge of Federal Prohibition enforcement, by Senator Reed of Missouri, and generally by the wet witnesses, must result in a *greater number of cases of intoxication in proportion to the total number of drinkers* than in the pre-prohibition period. I understand that the ratio of toxicity of bootleg liquors to that of medicinal liquors dispensed by government permit is being worked out by Professor A. O. Gettler of Bellevue Hospital, New York City, under the auspices of the Federal Prohibition authorities. Pending publication of this ratio, I am credibly informed that a very conservative reckoning would set the poisonous effects of bootleg beverages as compared with medicinal liquors at ten to one; that is, it requires only a tenth as much of bootleg liquor as of pre-prohibition liquor to produce a given

degree of drunkenness. The reason, of course, is that bootleg liquor is so concentrated and almost invariably contains other and more deadly poisons than mere ethyl alcohol. It would seem to follow that the drinker of bootleg liquor, blissfuly unaware of its composition, drinks much more poison than he realizes. "Temperance" is all but impossible and drunkenness all but inevitable. If, say, out of a given number of drinkers twice as many now get drunk on bootleg liquor as used to on pre-prohibition liquor, we should expect twice as many arrests as formerly even if the number of drinkers were the same. Put in another way, even if the number of drinkers were reduced one half by Prohibition, the number of arrests for drunkenness would remain the same.

The same tendency (for a greater number of arrests out of a given number of drinkers) is evidently brought about by the well known fact that Prohibition has been more effective in suppressing the drinking of beer than of whisky. Other things equal, more arrests must result from the stronger drinks. We know that in spite of this shift, relatively, from beer to "whisky," and in spite of the increased toxicity of the "whisky," there has been a great reduction in the number of arrests for drunkenness. It follows, therefore, since the arrests today represent a larger fraction of the drinkers, that there has been a still greater reduction in drinking.

Manifestly, then, Mr. Shirk's conclusions as to the actual number of drinkers per arrest for drunken-

ness must be radically altered by this factor of tenfold toxicity.

*His Original Data Untrustworthy*

Finally, I have special evidence as regards the accuracy of Mr. Shirk's original data. Aside from the figures of 300 cities and towns which he accepts from the World League Against Alcoholism, he has gathered independently records of arrests in 157 more cities, some 50 of which are mingled with the original 300 in this chart, and all of them in subsidiary charts. When I caused inquiries to be sent to the police departments of these 157 extra cities and towns as to the accuracy of Mr. Shirk's figures, in a large percentage of cases the police heads declared them to be inaccurate and unverifiable. Specimen testimony to this effect is reproduced in *facsimile,* in Exhibit I.

Ordinarily a conscientious statistician would reject figures the accuracy of which is largely questioned at their sources. But for the sake of argument, I shall next present the record as the Wets see it at its worst. I shall take the statistics prepared, or sponsored, by the eminent gentlemen of the Moderation League, and show what becomes of them when correctly set forth.

*No Allowance Even for Increased Population*

Passing over the omission of a base-line and the factor of increased toxicity, and passing over

State Wisconsin. City Marinette & Menominee

ARRESTS MADE BY THE POLICE FORCE:

| Year. | All Causes. | Intoxication. | Traffic Violations. |
|---|---|---|---|
| 1927 | | | |
| 1926 | | | |
| 1925 | 185 | 32 | 29 |
| 1924 | 86 | 30 | 48 |
| 1923 | 34 | 19 | 14 |
| 1922 | 12 | 5 | 5 |
| 1921 | 20 | 5 | 15 |
| 1920 | 20 | 2 | 8 |
| 1919 | 34 | 8 | 23 |
| 1918 | 16 | 3 | 5 |
| 1917 | 9 | 2 | 3 |
| 1916 | 25 | 2 | 14 |
| 1915 | 21 | 3 | 7 |
| 1914 | | 4 | |
| 1913 | | | |
| 1912 | | | |
| 1911 | | | |
| 1910 | | | |

SOURCE: Police Dept Records Fiscal Year ending Dec 31

OS- Intoxication includes:- Intoxicated, Drunk & Disorderly, and Driving while intoxicated

H. Laubler Chief.

Westfield - N. J.

State N.J. City Westfield

ARRESTS MADE BY THE POLICE FORCE:

| Year. | All Causes. | Intoxication. | Traffic Violations. |
|---|---|---|---|
| 1927 | | | |
| 1926 | | | |
| 1925 | 817 | 39 | 161 |
| 1924 | 433 | 23 | 79 |
| 1923 | 521 | 20 | 140 |
| 1922 | 497 | 16 | 131 |
| 1921 | 496 | 16 | 289 |
| 1920 | 662 | 18 | 161 |
| 1919 | 481 | 26 | 141 |
| 1918 | 264 | 25 | 68 |
| 1917 | 384 | 51 | 53 |
| 1916 | 395 | 49 | 44 |
| 1915 | 306 | 48 | 16 |
| 1914 | 264 | 57 | 8 |
| 1913 | 277 | 53 | 6 |
| 1912 | 267 | 67 | 3 |
| 1911 | | | |
| 1910 | | | |

SOURCE: Fiscal Year ending

John C Rosecrans Chief.

**EXHIBIT I**

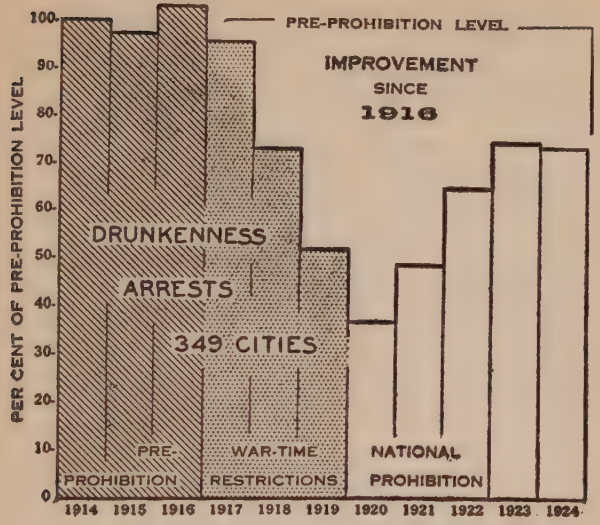
Two of many replies from police chiefs to inquiries concerning the accuracy of the Shirk figures of arrests for drunkenness. The Shirk figures were entered in handwriting upon regular forms. The forms were then sent to the police chiefs with a request for verification. The police chiefs have made the changes here shown.

the fact that the data are, in many cases, unverifiable and repudiated at the source, I believe the gentlemen of the Moderation League cannot object to my subjecting Mr. Shirk's crude figures to one simple, ordinary statistical rule of correction; namely, that for increase of population during the period of years they cover. Chart 3 shows arrests for drunkenness, according to Mr. Shirk's figures, after making correction for this single factor. It will be seen that it changes immediately the curve of arrests from 1914 to 1924, inclusive, showing a net decrease per 100,000 of population.

*No Allowance for Stricter Enforcement*

The next correction is one which I will not insist on, although it is based on an estimate* of a known increased severity of arrests for drunkenness during the periods of war-time restrictions and National Prohibition and, without such a correction, Mr. Shirk's figures are of little statistical worth. The question as to whether the police are now more thorough in their task of arresting drunken persons under Prohibition than in the free-and-easy times of

* Robert E. Corradini estimates the percentage of arrests for drunkenness, as attested by police heads, at 40 per cent in pre-prohibition years, and 90 per cent during the latest years of National Prohibition. As Mr. Corradini's statistics of drunkenness arrests, gathered from the police departments of 626 American cities and towns, are generally regarded as standard, I have adopted this estimate, provisionally, in correcting the totals of arrests in Mr. Shirk's tables.




### 3. ARRESTS FOR DRUNKENNESS IN 349 CITIES
**selected by the Moderation League**

Arrests for drunkenness decreased considerably with Prohibition though increasing slightly afterward. Greater strictness in enforcement is here not taken into account.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Total number of arrests in 349 cities selected by the Moderation League based upon reports from police departments in about 300 cities and reports collected by the Moderation League in about 50 cities. The statistics of the number of arrests are Shirk's and cover 350 cities including Chicago, where disorderly conduct is not separated from drunkenness. The figures of arrests per 1000 population and the chart have been corrected to exclude Chicago.)

| 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | |
| 507 | 507 | 539 | 521 | 406 | 298 | 226 | 307 | 413 | 484 | 499 |
| Arrests per 1000 population | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (19.0)** | | | | | | | | | | |
| 18.9 | 18.5 | 19.5 | 18.3 | 13.8 | 9.8 | 7.1 | 9.3 | 12.3 | 14.2 | 14.1 |
| **100** | **97** | **103** | **96** | **73** | **52** | **37** | **49** | **65** | **75** | **74** |

the licensed saloon, seems never to have occurred to Mr. Shirk.

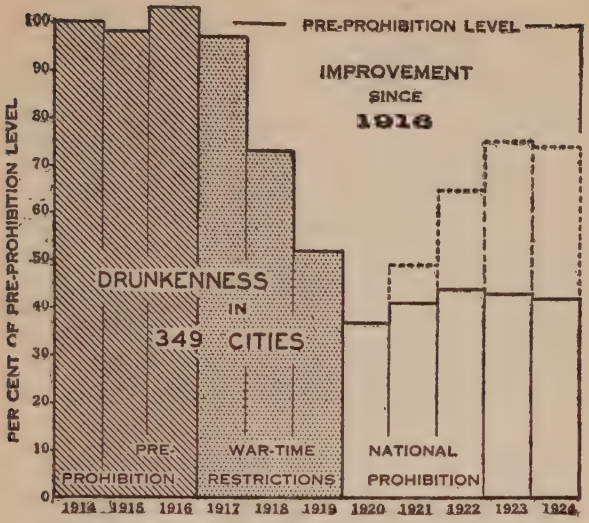
In Exhibit II appear *fac-similes* of the signed statements of police heads of various cities, testifying to the increased severity of arrests for drunkenness during the Prohibition period.

Chart 4 has been prepared to give the most probable picture of the statistics of arrests for drunkenness in their relation to the changed habits of the American people, as based on the figures of Mr. Shirk's report for 350 cities and corrected for the factors of increased population, and increased police severity in making arrests.

### *Shirk on Indiana*

Next let us scrutinize some of Mr. Shirk's special favorites among his statistics. In the report of the survey which he conducted for the eminent gentlemen of the Moderation League this passage occurs:

> Indiana is a sample of one of these restrictive states. Until 1918 the state was partly under license and partly under local option. In April, 1918, there became effective a statewide semi-prohibition law under which it was lawful to make wine and cider and to bring liquor into the state for personal use. Conditions were comparatively good. Drunkenness was practically stationary in 1914 and 1915, increased with the war boom in 1916, and then dropped sharply with the war-time restrictions. But under the drastic Volstead act drunkenness in-




**4. ESTIMATES OF ACTUAL DRUNKENNESS IN THE 349 CITIES**

With increased strictness of enforcement taken into account (Chart 4) greater and more sustained improvement appears than in Chart 3.

**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for intoxication in 349 cities selected by the Moderation League, as reported by the police departments in about 300 cities and by the Moderation League in the remaining cities. Also probable number of cases of intoxication in these cities, as computed from Robert E. Corradini's estimates of the percentage arrested of all cases of intoxication. For the previously "wet" states this is 40% in 1920 and previously, 55% in 1921, 75% in 1922, and 90% in 1923 and thereafter; for the previously "dry" states it is 90% throughout. The percentage here used is a composite series proportionately adjusted to the wet and dry cities in the group.)

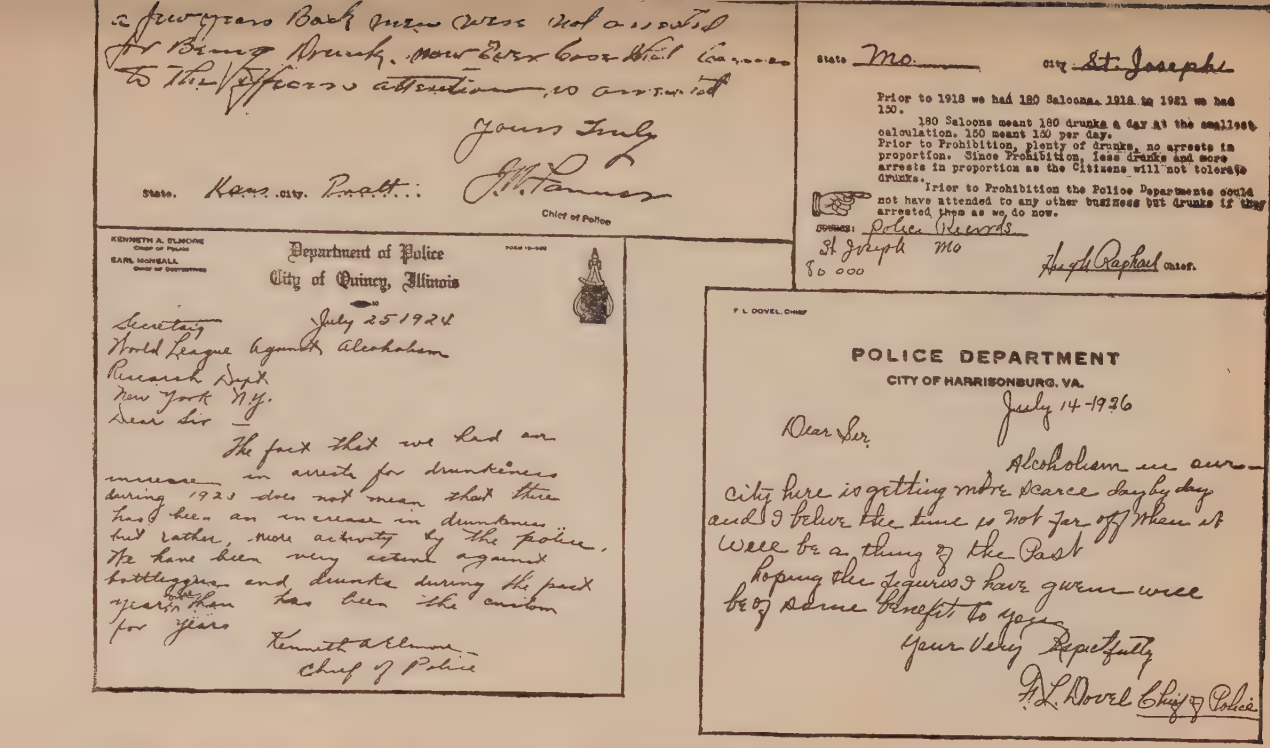
| 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | |
| 507 | 507 | 539 | 521 | 406 | 298 | 226 | 307 | 413 | 484 | 499 |
| Arrests per 1000 population | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (19.0)** | | | | | | | | | | |
| 18.9 | 18.5 | 19.5 | 18.3 | 13.8 | 9.8 | 7.1 | 9.3 | 12.3 | 14.2 | 14.1 |
| **100** | **98** | **103** | **97** | **73** | **52** | **37** | **49** | **65** | **75** | **74** |
| Hypothetical Percentage Arrested of all Intoxications | | | | | | | | | | |
| 53 | 53 | 53 | 53 | 53 | 53 | 53 | 64 | 79 | 90 | 90 |
| Probable total number of cases of Intoxication (per 1000 population) | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (35.8)** | | | | | | | | | | |
| 36 | 35 | 37 | 35 | 26 | 18 | 13 | 15 | 16 | 16 | 15 |
| **100** | **98** | **103** | **97** | **73** | **52** | **37** | **41** | **44** | **43** | **42** |

creased by 1924 far above anything ever known in Indiana before (1, p. 343).

Mr. Shirk's spurious curve of increased drunkenness arrests for Indiana is reproduced in Chart 5. The upward trend of the curve for the National Prohibition period is by no means wholly due to Mr. Shirk's habit of failing to apply the factors of correction for population and police severity of Prohibition arrests. Omitting the figures for arrests in Indianapolis, Chart 6, which shows totals of arrests for drunkenness for the whole state of Indiana outside that city, entirely reverses Mr. Shirk's picture.

### *Shirk on Chicago*

Mr. Shirk's figures of arrests for drunkenness in Chicago also were scouted by Mayor Dever of that city (1, p. 1380), as only indicating, according to the mayor's testimony, "how worthless such figures are. There are no such records as arrests for drunkenness in Chicago," he went on to say. "And disorderly conduct is a dragnet for almost everything—neighborhood brawls, quarrels, and even traffic law violations, as well as larceny, assaults, and everything along that line is termed disorderly conduct and punishable as such. We have no records of drunkenness at all." Yet Mr. Shirk's total of 86,000 arrests for disorderly conduct in Chicago in 1924, although tagged by himself "disorderly conduct," are nevertheless entered as drunkenness arrests in his aggregate totals, on which his chart is based!



Two years Back men were not arrested for Being Drunk. now Days Every Week Can see to the Officers attention, no arrested

Yours Truly

J. W. Tanner

State. Kans. City. Pratt.

Chief of Police

State Mo. City St. Joseph

Prior to 1918 we had 180 Saloons. 1918 to 1921 we had 150.

180 Saloons meant 180 drunks a day at the smallest calculation. 150 meant 150 per day.

Prior to Prohibition, plenty of drunks, no arrests in proportion. Since Prohibition, less drunks and more arrests in proportion as the Citizens will not tolerate drunks.

Prior to Prohibition the Police Departments could not have attended to any other business but drunks if they arrested them as we do now.

Police Records

St Joseph Mo

80 000

Joseph Raphael Chief.

KENNETH A. ELMORE
Chief of Police
EARL MONSALL
Chief of Detectives

Department of Police
City of Quincy, Illinois

July 25 1928

Secretary
World League Against Alcoholism
Research Dept
New York N.Y.
Dear Sir —

The fact that we had an increase in arrests for drunkenness during 1928 does not mean that there has been an increase in drunkenness but rather, more activity by the police. We have been very severe against bootleggers and drunks during the past years than has been the custom for years

Kenneth A. Elmore
Chief of Police

F. L. DOVEL, Chief

POLICE DEPARTMENT
CITY OF HARRISONBURG, VA.

July 14-1926

Dear Sir,

Alcoholism in our city here is getting more scarce day by day and I believe the time is not far off when it will be a thing of the Past

Hoping the figures I have given will be of some benefit to you.

Your Very Respectfully

F. L. Dovel Chief of Police

**EXHIBIT II**

Facsimile reproduction of four typical letters from chiefs of police in various cities testifying to the changed policy of the police toward drunken persons.

The conclusion is forced upon us that Mr. Shirk's statistics are unreliable as well as wrongly treated and interpreted.

### *His Main Chart, Corrected*

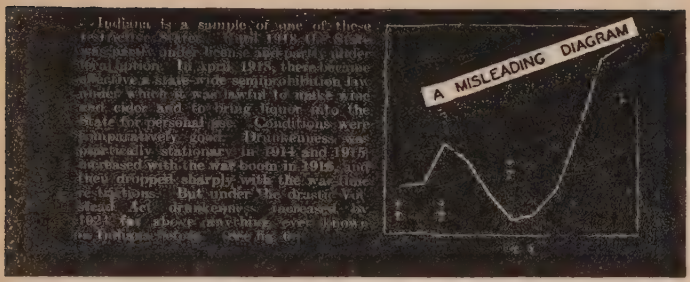
As his main exhibit consists of the statistics of arrests for drunkenness in 350 cities, I will close this criticism by referring to Chart 3 for those 350 cities, and emphasize its teachings.

Chart 3 tells us that, without taking into account any correction except that for increase of population between 1914 and 1924, inclusive, we have the following striking results:

With the population of the 349 cities (excluding Chicago) increasing from 24,000,000 in 1914 to 29,000,000 in 1924, on this reckoning there were 189 arrests per 10,000 of population for drunkenness in 1914 in these 349 places; 185 arrests in 1915; 195 in 1916; 183 in 1917; 138 under war-time restrictions in 1918; 98 in 1919, during half of which War-time Prohibition prevailed; 71 in 1920, and 141 in 1924.*

If the ratio of arrests for drunkenness during 1916, the last year of the saloon era, had prevailed dur-

* Dr. Clarence True Wilson, General Secretary of the Board of Temperance, Prohibition and Public Morals of the Methodist Episcopal Church, has anticipated me in presenting a similar correction of a smaller group comprising the principal American cities, which had been offered as a damning array by Senator Bruce of Maryland before the Senate Sub-committee (1, p. 1151-2).




**5. ANOTHER MISLEADING DIAGRAM PUBLISHED BY THE MODERATION LEAGUE**

**on "Drunkenness in Indiana"**

No allowance is made for population growth. The zero line is omitted. Repudiated data for Indianapolis are included.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Chart, and comment thereon, submitted to the Senatorial Investigating Committee by Stanley Shirk, statistician for the Moderation League and published in "The National Prohibition Law," page 343, Hearings before the Sub-committee of the Committee on the Judiciary, United States Senate, Sixty-ninth Congress, First Session, April 5–24, 1926.)

ing the period of the Volstead Act, according to this single correction for population instead of the total of 1,928,081 arrests given in Mr. Shirk's table, there would have been 2,730,000 arrests, or 801,019 more arrests than the total claimed by Mr. Shirk.

With this single correction of its main exhibit, overlooking stricter enforcement, I believe the members of the executive committee of the Moderation League would hardly have authorized Mr. Shirk to spread it upon the records of the United States Senate as evidence against the effectiveness of the Volstead Act during the first years of its application.

### *Corradini's Figures*

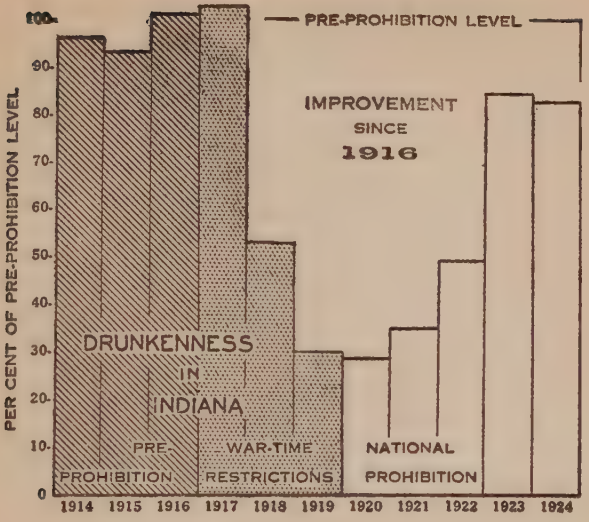
Leaving Mr. Shirk entirely, and substituting for his statistics those of Mr. Corradini, a careful statistician, I present Chart 7.

Chart 7 gives a truer picture of arrests for drunkenness in the United States during the period covered by Mr. Shirk's chart of 350 cities; for Chart 7 uses the verified totals of arrests for drunkenness in 626 cities gathered by Mr. Corradini for the World League Against Alcoholism. Within the dotted line of this chart is the estimate of drunkenness in these cities corrected for increased police severity in arrests.

*What is not debatable is:*

1. *That there has been a very substantial reduction in arrests for drunkenness and*

2. *A still greater reduction in drinking.*




### 6. ARRESTS FOR DRUNKENNESS IN INDIANA

**excluding Indianapolis**

The course of arrests in this state is similar to that in other states.

---

**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for intoxication in 12 cities having an aggregate population of 402,000 in 1920, as reported by police departments in 8 cities and compiled by the Moderation League in 4 more. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would rise to only 30 per cent of its Pre-prohibition level.)

| 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|
| Arrests in thousands | | | | | | | | | | |
| 5.4 | 5.4 | 6.7 | 6.4 | 3.4 | 2.0 | 2.0 | 3.4 | 4.7 | 6.4 | 6.4 |
| Arrests per 1000 population | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (17.1)** | | | | | | | | | | |
| 16.4 | 15.9 | 19.0 | 17.5 | 9.0 | 5.1 | 5.0 | 6.0 | 11.0 | 14.6 | 14.2 |
| **96** | **93** | **111** | **103** | **53** | **30** | **29** | **35** | **64** | **85** | **83** |

*How Much Alcohol Is Really Consumed?*

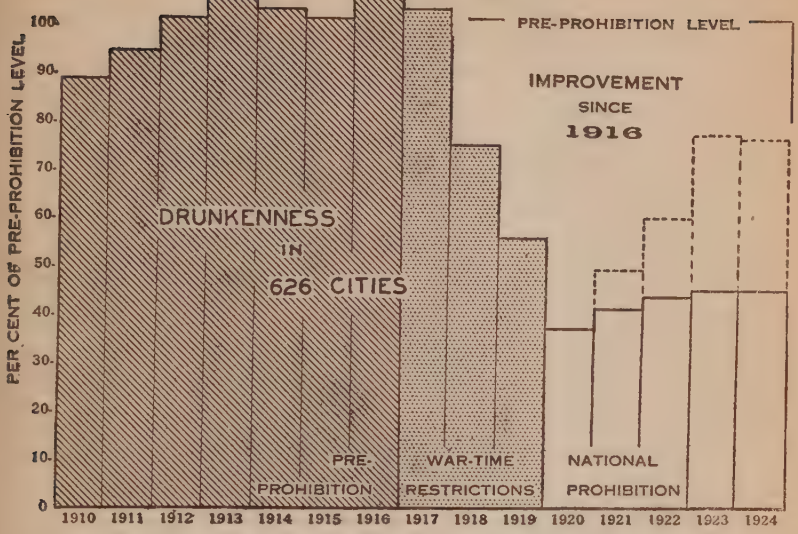
Mr. Emory R. Buckner, United States District Attorney in New York, presented estimates to the Sub-committee Hearings in Washington, purporting to show that the illegal diversion of industrial alcohol probably reached 60,000,000 gallons a year.

This was unexpected and of course was good "news" for the press!

Dr. J. M. Doren, chief chemist of the Bureau of Internal Revenue and in charge of the department dealing with this phase of the situation, presented a most excellent and elaborate analysis of Buckner's erroneous reasoning and also a study showing the diversion of industrial alcohol for beverage purposes to be between ten and fifteen million gallons a year and probably between thirteen and fourteen million (1, p. 1313), or *only eight to nine per cent* of the pre-war consumption of beverage alcohol.

It must also be remembered that not all of the alcohol diverted is consumed. Between one and two million gallons have been recaptured and confiscated (5). Leakage, breakage, and evaporation will account for almost as much more. The result is that probably illegal consumption of alcohol from diverted industrial alcohol is less than eight per cent of pre-prohibition *legal* consumption, and therefore *still less* than eight per cent of the total pre-prohibition consumption (legal and *illegal*).

To this must, of course, be added the alcohol smuggled into the country and distilled or brewed




**7. ARRESTS FOR DRUNKENNESS AND ESTIMATES OF ACTUAL DRUNKENNESS in 626 cities**

Arrests in these cities embracing 44 states decreased considerably with Prohibition though increasing afterward—due, apparently, to greater strictness of enforcement. Estimated cases of intoxication not arrested show sustained improvement.

## STATISTICAL DATA AND TECHNICAL DETAILS

(The aggregate number of arrests for intoxication in all cities for which statistics authenticated by the local police department are available. For 1924 these comprise 626 cities with a total population of 32,000,000 persons scattered over 44 states; in 1910 they comprise 514 cities with a total population of 19,800,000 persons scattered over 40 states. The broken line on the chart shows per cents of the Pre-prohibition level for these arrests. While the 350 cities of the previous chart were largely in formerly "wet" territory, about one quarter of the population of these 626 cities comprises formerly "dry" population and the figures of percentage of persons arrested are accordingly modified. The full line shows the probable total cases of intoxication.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 314 | 351 | 386 | 441 | 445 | 453 | 514 | 532 | 382 | 290 | 194 | 267 | 362 | 429 | 431 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (17.8)** | | | | | | | | | | | | | | |
| 15.8 | 16.8 | 17.9 | 18.9 | 18.3 | 17.9 | 19.1 | 18.4 | 13.4 | 9.9 | 6.5 | 8.8 | 11.7 | 13.7 | 13.5 |
| **89** | **94** | **101** | **106** | **103** | **101** | **107** | **103** | **75** | **56** | **37** | **49** | **60** | **77** | **76** |
| Hypothetical Percentage Arrested of all Intoxications | | | | | | | | | | | | | | |
| **53** | **53** | 53 | 53 | 53 | 53 | 53 | 53 | 53 | 53 | 53 | 64 | 79 | 90 | 90 |
| Probable total cases of Intoxication (per 1000 population) | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (33.6)** | | | | | | | | | | | | | | |
| 30 | 32 | 34 | 36 | 34 | 34 | 36 | 35 | 25 | 19 | 12 | 14 | 15 | 15 | 15 |
| **89** | **94** | **101** | **106** | **103** | **101** | **107** | **103** | **75** | **56** | **37** | **41** | **44** | **45** | **45** |

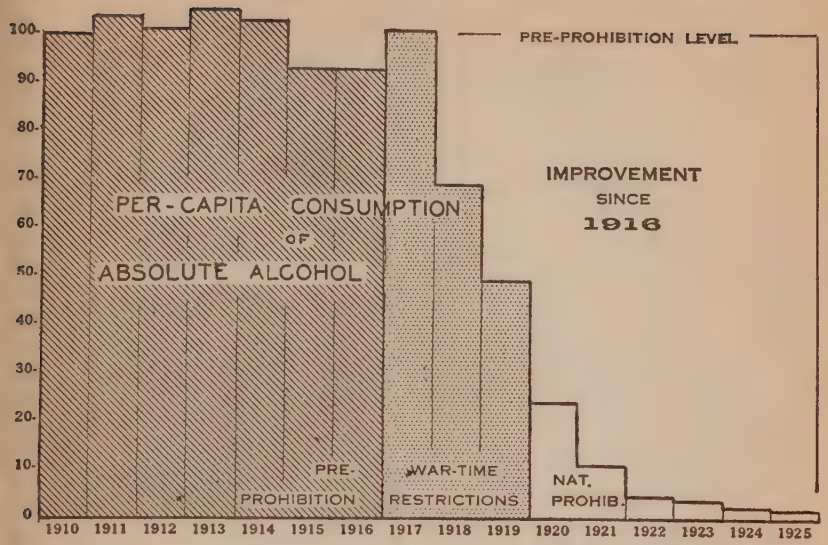
at home. How much these amount to no one knows absolutely; but all experts agree that, all put together, they constitute a minor part of illegal liquor, far less than that from diversion of industrial alcohol, that is, far less than eight per cent of pre-prohibition consumption.

From all this it is evident that the total consumption of alcohol today in beverage form is less than 16 per cent of pre-prohibition consumption and probably less than 10 per cent.

An entirely independent estimate has been made by Corradini. This is based on the assumption that the samples seized by the Treasury Department represent a true cross-section of the liquor on the market, of which the legal portion is known.

This calculation has not yet been published; but all experts who have seen it can find no serious flaw in it, except the possibility that the samples seized are not representative. Corradini's result indicates that the total consumption is less than three per cent of pre-prohibition consumption! Corradini's estimates are shown in Chart (69).

It seems safe to conclude that the total consumption to-day is certainly less than 16 per cent of pre-prohibition consumption, probably less than 10 per cent, and possibly less than five per cent.




**8. THE REDUCTION IN CONSUMPTION OF ALCOHOL**

**(Corradini's estimate for the U. S.)**

:ording to this yearly estimate, the consumption of alcohol has decreased to less n five per cent of the Pre-prohibition amount.

---

**STATISTICAL DATA AND TECHNICAL DETAILS**

(A shrewd estimate of the consumption of absolute alcohol in beverage form by the American public has been made by Robert E. Corradini from data of the Federal Government showing (1) the distribution of liquor for industrial purposes from the licensed distilleries, and (2) the percentage this alcohol comprises of all alcoholic beverages seized by the Prohibition and revenue agents. From these two sources it is, of course, possible to estimate the total volume of alcoholic beverages. Mr. Corradini has checked this estimate by an entirely independent computation in which the various amounts of liquor smuggled over the borders from different countries and the probable quantities produced illegally in this country, or manufactured legally and illegally diverted, have all been estimated. This computation closely checks the figures shown in the chart above. It would seem clear from the data shown in the text that the present consumption of absolute alcohol must be less than 16 per cent of the pre-war quantities, that it is probably less than 10 per cent, and is perhaps less than 5 per cent, as Mr. Corradini estimates it above.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Estimated Aggregate Consumption of Absolute Alcohol (millions of gallons) | | | | | | | | | | | | | | | |
| 154 | 162 | 160 | 168 | 166 | 152 | 154 | 170 | 118 | 85 | 41 | 19.3 | 7.5 | 7.1 | 4.4 | 3.9 |
| Estimated Per Capita Consumption (in gallons) | | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (4.72)** | | | | | | | | | | | | | | | |
| 4.74 | 4.92 | 4.79 | 4.97 | 4.86 | 4.38 | 4.78 | 3.27 | 2.33 | 1.11 | .516 | .198 | .185 | .113 | .099 | |
| **100** | **104** | **101** | **105** | **103** | **93** | **101** | **69** | **49** | **24** | **11** | **4.2** | **3.9** | **2.4** | **2.1** | |

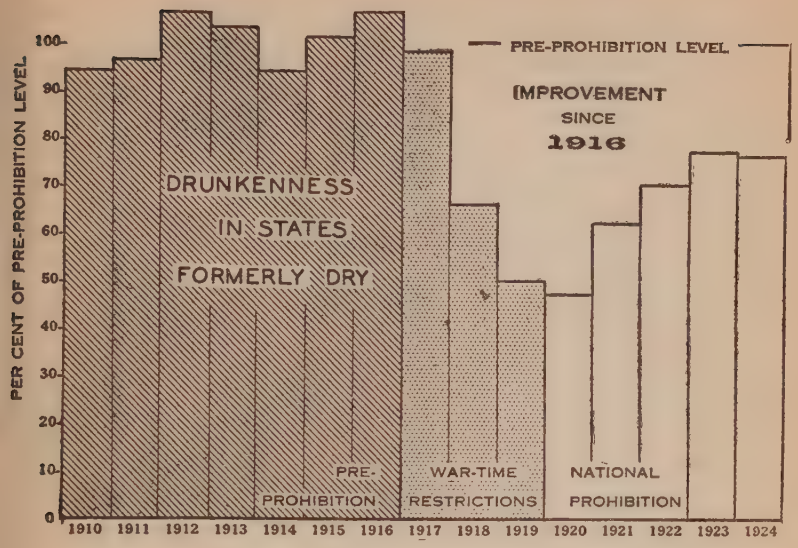
## CHAPTER IV

### Further Errors of Mr. Shirk

*His "Dry" State Figures*

The inaccuracy of the main exhibits against Prohibition offered by Mr. Shirk in behalf of the gentlemen of the Moderation League, his failure to apply the ordinary statistical correctors to his crude figures for arrests for drunkenness in 350 American cities and towns, and my acceptance of these tables for the sake of argument, with all their inaccuracies—but subjected, in the end, to merely a single obvious corrector, namely, that for increased population during the period considered—furnished, in the last chapter, instances of exaggeration by the Moderation League as to the non-enforcement of Prohibition in the country as a whole.

In fact, Mr. Shirk's own inferences from the record of arrests were shown actually to reverse his case and to record a measure of enforcement that should be heartening to these eminent gentlemen who are devoted to "the restoration of temperance." Further, as was to be expected, this demonstration harmonizes with the findings of the first chapter, as to the exemplary reduction of convictions for




**9. ARRESTS FOR DRUNKENNESS IN DRY STATES**
**before and after National Prohibition**

he states originally dry show improvement, following National Prohibition, ut retrogression as they began to depend upon national enforcement.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for drunkenness in 67 cities with total population in 1920 of 4,616,000, in 24 dry states where statistics are available, from 1910 to date, as reported by the police departments.)

| **1910** | **1911** | **1912** | **1913** | **1914** | **1915** | **1916** | **1917** | **1918** | **1919** | **1920** | **1921** | **1922** | **1923** | **1924** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 57.9 | 61.2 | 70.8 | 71.2 | 68.0 | 75.6 | 81.4 | 78.0 | 54.9 | 42.0 | 41.0 | 55.9 | 64.6 | 73.4 | 75.2 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (19.0)** | | | | | | | | | | | | | | |
| 17.9 | 18.1 | 20.1 | 19.5 | 17.9 | 19.2 | 20.0 | 18.6 | 12.6 | 9.4 | 8.9 | 11.8 | 13.2 | 14.6 | 14.5 |
| **94** | **96** | **106** | **103** | **94** | **101** | **106** | **98** | **66** | **49** | **47** | **62** | **70** | **77** | **76** |

drunkenness of first offenders in New York City, during the period of war-time restrictions and National Prohibition.

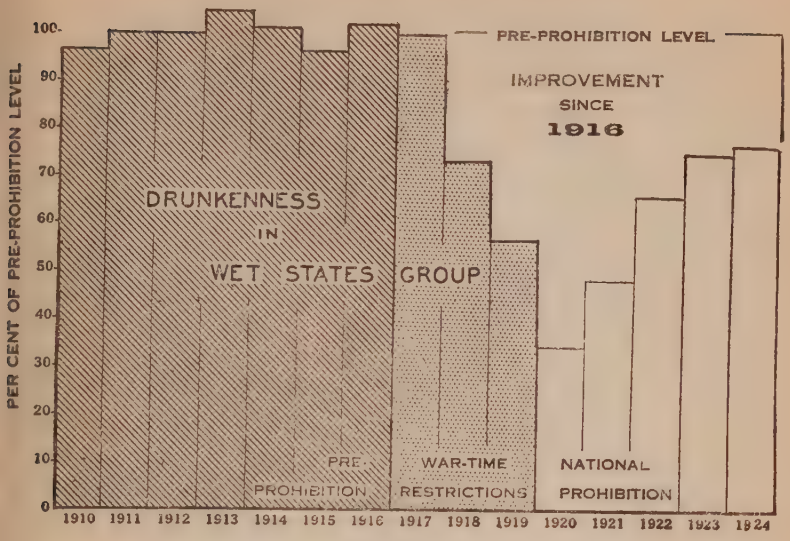
But among Mr. Shirk's minor exhibits is a table which prompts him to say:

> One of the interesting things disclosed by the survey is that, while conditions in former "wet" states are now about the same as in 1914, in former "dry" states—*i.e.*, states which had some form of state Prohibition or semi-Prohibition law before the Eighteenth Amendment was adopted—conditions are worse to-day under the bone-dry Volstead Act than they formerly were under their own state dry laws (1, p. 342).

Indiana is represented as one of these dry states, and we have seen how the figures for arrests for drunkenness in Indiana were distorted in the survey of the Moderation League. Abandoning, therefore, the untrustworthy tables of Mr. Shirk and relying on the standard tables compiled by Mr. Corradini, I have prepared Charts 9 and 10, the former showing that, after National Prohibition, there has actually been a lowered rate of arrests for drunkenness in this group.

### *State Prohibition Reduced Arrests*

But because this is obviously not the proper way to compare the results of Prohibition in these states, which were dry before the National Prohibition period, I have also shown in Chart 11, a compari-




**10. ARRESTS FOR DRUNKENNESS IN WET STATES**

he arrests in wet states, starting from a higher level than in dry states, eclined rapidly but rose afterward.

---

**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for drunkenness in 436 cities, with total population in 1920 of 17,810,000, in 14 states, as reported by police departments. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain almost horizontal between 1920 and 1924, at about 30 per cent of its Pre-prohibition level.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 228 | 238 | 244 | 260 | 256 | 246 | 268 | 266 | 203 | 154 | 95 | 136 | 188 | 218 | 226 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (15.6)** | | | | | | | | | | | | | | |
| 15.1 | 15.7 | 15.6 | 16.3 | 15.8 | 15.0 | 16.0 | 15.6 | 11.4 | 8.8 | 5.3 | 7.5 | 10.2 | 11.7 | 12.0 |
| **96** | **100** | **100** | **104** | **101** | **96** | **102** | **100** | **73** | **56** | **34** | **48** | **66** | **75** | **77** |

son of arrests for drunkenness during the first five dry years in all states having *statewide* Prohibition from the time the Prohibition law of each became effective, with the arrests for drunkenness during the last five wet years in those states. In this way only can the effects of Prohibition in this group of states be clearly set forth.

Allowing merely for increase of population, Chart 10 shows a falling curve of arrests for drunkenness during the five-year dry period.

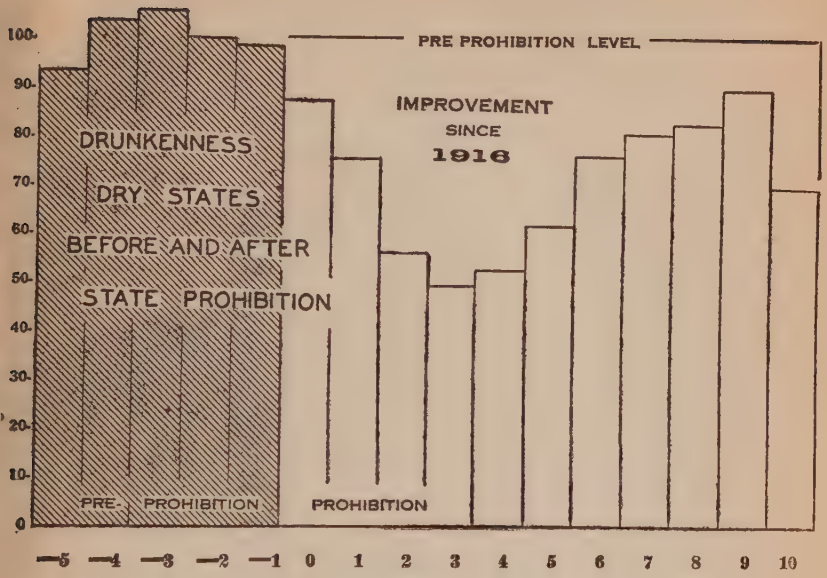
### *Improvement in Wet States Clean Cut*

In Chart 10 the improvement in drunkenness arrests, per 100,000 population, is clearly observable for the wet group of states before and after Prohibition.

This is a clean-cut picture of the results of National Prohibition in that group of states which were wet until the Eighteenth Amendment became effective. As compared with this chart, all nationwide charts that include wet and dry states together give pictures that are indistinct and blurred. But this chart tests Prohibition where it was new. This chart also follows the standard procedure of correction for increased severity of arrests during Prohibition.

### *A Crucial Test, Connecticut*

But a severer test may be found in the case of the single state of Connecticut, which did not ratify the




**11. ARRESTS FOR DRUNKENNESS IN DRY STATES**
**before and after State Prohibition**

e Chart 9, this chart presents a picture of conditions brought about by state
ı. The course of the curve corresponds to that for National Prohibition, but
s a decrease after the tenth year.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for intoxication in 56 cities having a population in 1920 of 4,198,000, in 19 states which had State Prohibition before 1920, as reported by police departments. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain approximately horizontal between 1920 and 1924, at about 30 per cent of its Pre-prohibition level.)

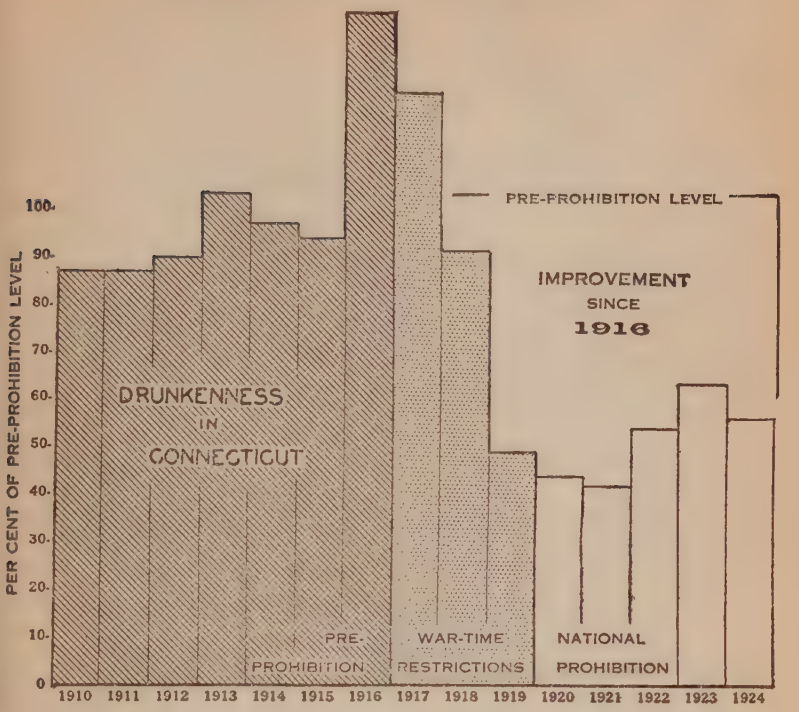
**YEARS BEFORE AND AFTER STATE PROHIBITION**

| —5 | —4 | —3 | —2 | —1 | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Arrests per 1000 population | | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (18.4)** | | | | | | | | | | | | | | | |
| 17.2 | 19.0 | 19.4 | 18.5 | 18.2 | 16.2 | 14.0 | 10.6 | 9.2 | 9.8 | 11.3 | 14.1 | 15.0 | 15.3 | 16.6 | 12.9 |
| **93** | **103** | **105** | **100** | **99** | **88** | **76** | **57** | **50** | **53** | **62** | **76** | **81** | **83** | **90** | **70** |

Eighteenth Amendment. The Volstead law has been administered in that state in the teeth of active opposition from the Press and from all agencies opposed to its enforcement. In what follows I am indebted to my colleague, Professor Henry W. Farnam (1, pp. 1032-1040) of Yale University, who compiled the data and presented it to the Senate Judiciary Sub-committee at the hearings in Washington, April, 1926.

Connecticut is an industrial state, with an alien intermixture of people from countries where wine and beer are commonly drunk. This state has an ideal seacoast for smuggling. It is influenced by the wetness of metropolitan New York. During the entire period of National Prohibition the Press of this state has actively opposed the application of the Volstead act. Within its area obstacles to its enforcement are undoubtedly great for both Federal and state enforcers.

Professor Farnam finds, however, using figures furnished by the state authorities and police of Connecticut's cities and towns, that the drunkard population in Connecticut jails was reduced by more than half by Prohibition, being, for instance, 6,754 in 1916 and 3,909 in 1925; that the death rate of infants per 1,000 fell from 100 in 1916 to 68 in 1924 and 73.6 in 1925; and that cases of alcoholic insanity admitted at the asylum at Middletown were 72 for the year ending June 30, 1915, and only 23 for the year ending June 30, 1922. In specific towns and cities the facts are as follows (1, p. 1040):




**12. ARRESTS FOR DRUNKENNESS IN CONNECTICUT**

This chart seems especially significant as Connecticut did not ratify the eighteenth amendment.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Number of arrests for intoxication in 7 cities, having a total population in 1920 of 446,169 as reported by police departments. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this curve would descend to 25 per cent of its Pre-prohibition level. But probably the improvement in strictness of enforcement was less in Connecticut than in most states. So the truth is probably above 25 per cent.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 4.7 | 4.8 | 5.1 | 6.0 | 5.8 | 5.8 | 8.9 | 8.0 | 6.0 | 3.3 | 3.0 | 3.0 | 3.9 | 4.6 | 4.2 |
| Arrests per 1000 population and per cents of the Pre-prohibition Level (15.3) | | | | | | | | | | | | | | |
| 13.4 | 13.3 | 13.8 | 15.8 | 14.9 | 14.5 | 21.7 | 19.1 | 14.0 | 7.5 | 6.7 | 6.5 | 8.3 | 9.6 | 8.6 |
| **88** | **87** | **90** | **103** | **97** | **95** | **142** | **125** | **91** | **49** | **44** | **42** | **54** | **63** | **56** |

Rockville: Arrests for drunkenness fell between 1917 and 1923, 66 per cent.

Wallingford, for the same period, fell one-half.

Willimantic, for the same period, fell more than half.

Torrington, for the same period, fell nearly 60 per cent.

New Britain, for the same period, fell 33 per cent.

Danbury, for the same period, fell 21 per cent.

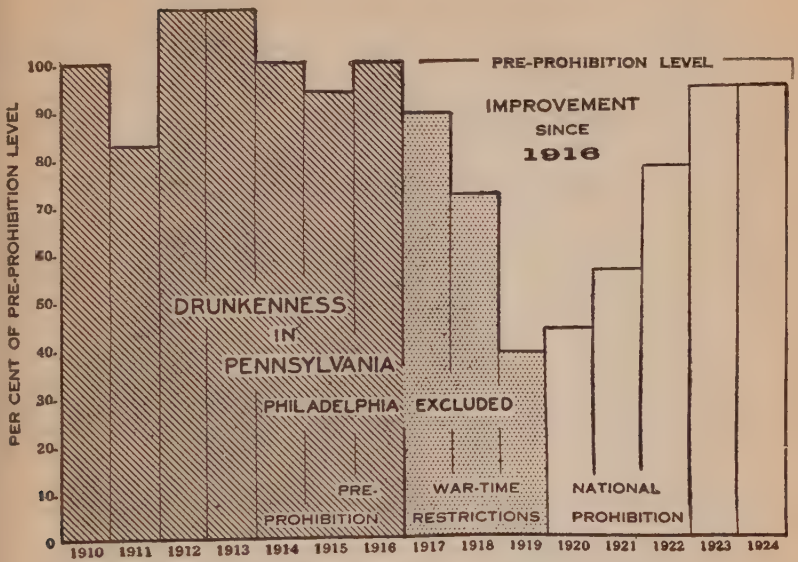
Stamford, between 1917 and 1925, fell slightly less than 30 per cent.

Norwich, between 1915 and 1925, fell about 33 per cent.

New Haven, between 1915 and 1925, fell 30 per cent.

In the case of New Haven, Professor Farnam presented the figures of arrests for drunkenness by months, showing that arrests fell from 371 in January, 1919, to 52 for the corresponding month of 1920; in February, 1920, they were 45, and rose to 90 in March. The arrests went up after that, but the total for 1920 was considerably below the total for 1919 (1, p. 1036).

"These figures show very clearly," Professor Farnam states, "what has been observed elsewhere, that when the law first became effective it was expected that it would be enforced, and the liquor dealers were apparently ready to observe it. The bars really were closed. Then the weakness of the administration became apparent. People saw that the




**13. ARRESTS FOR DRUNKENNESS IN PENNSYLVANIA**
**excluding Philadelphia**

Arrests for drunkenness in this state have been on the increase since 1919, presumably owing to the greater strictness of enforcement under the influence of Governor Pinchot.

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## STATISTICAL DATA AND TECHNICAL DETAILS

(Arrests reported by the police departments of 6 cities having a total population in 1920 of 300,000 inhabitants. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain almost horizontal between 1920 and 1924, at about 40 per cent of its Pre-prohibition level. But probably the improvement in strictness of enforcement in Pennsylvania was much greater than in most states; so probably the truth is below 40 per cent.)

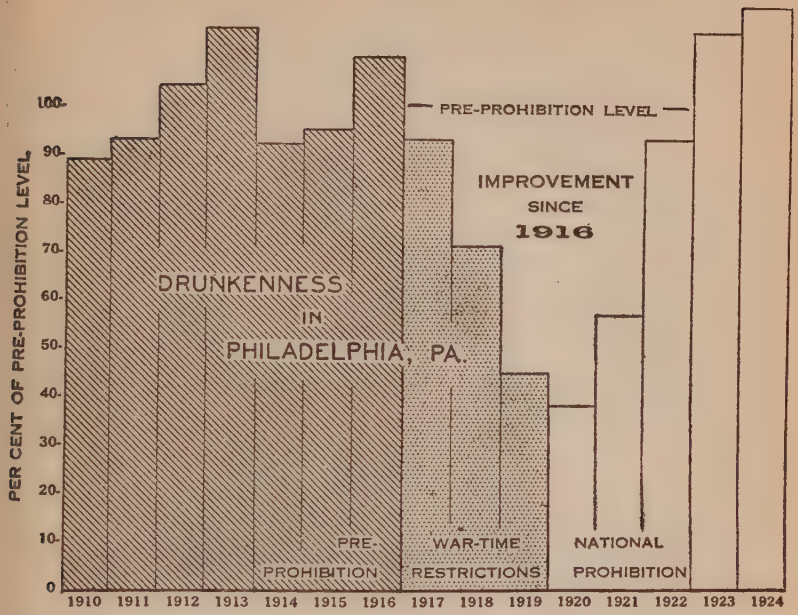
| | 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | 4.7 | 4.1 | 5.4 | 5.6 | 5.0 | 4.8 | 5.1 | 4.6 | 3.7 | 2.2 | 2.4 | 3.0 | 3.2 | 4.4 | 5.3 |
| Arrests per 1000 population | 18 | 15 | 20 | 20 | 18 | 17 | 18 | 16 | 13 | 7 | 8 | 10 | 14 | 17 | 17 |
| **and per cents of the Pre-prohibition Level (18.0)** | **100** | **83** | **111** | **111** | **100** | **94** | **100** | **89** | **72** | **39** | **44** | **56** | **78** | **94** | **94** |

penalties imposed were light. They found that many newspapers attacked the law as a violation of 'personal liberty'; that they had no word of censure for those who violated Prohibition, and no word of approval for the police who enforced it. It was natural, therefore, that there should be a reaction."

*Enforcement Slackened, 1921-23*

These things, which were true with respect to Prohibition enforcement in Connecticut, were largely true for the three years following 1920 throughout the Union, as reflected in most of the charts appearing in this book of figures denoting a lessened downward curve, in some cases tending upward in 1921-23, as compared with 1920, and reflecting a relatively slack enforcement of the Prohibition law. In 1924, the curve of slackened enforcement moderates in all these charts, indicating a recently resumed period of increased observance of the law. In all these cases the shaded portion of the charts indicates the solid and continuing Prohibition gains, despite the temporary reaction, as compared with the pre-prohibition level.

Referring to the period 1921-23, as reflected by the lull in the downward course of the curve of enforcement, I recall, according to a recent article in the *North American Review*, that Secretary Mellon was asked whether, in his opinion, Prohibition was responsible for the recurrent spirit of lawlessness. He replied:




**14. ARRESTS FOR DRUNKENNESS IN PHILADELPHIA**

The number of arrests for drunkenness became greater than in Pre-prohibition days, owing probably to the influence of Governor Pinchot and the activities of General Butler.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Total population in 1920 was 1,823,779. Computations made from data furnished by the police department. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would rise to 45 per cent of its Pre-prohibition level. But probably the strictness of enforcement in Philadelphia was much greater than in most cities; so the truth is probably much below 45 per cent.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 28.7 | 30.5 | 34.8 | 39.3 | 36.5 | 33.2 | 39.2 | 33.6 | 26.0 | 16.8 | 14.3 | 21.9 | 36.3 | 45.2 | 47.8 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (20.7)** | | | | | | | | | | | | | | |
| 18.5 | 19.3 | 21.6 | 24.1 | 19.0 | 19.7 | 22.9 | 19.3 | 14.7 | 9.3 | 7.9 | 11.8 | 19.3 | 23.8 | 24.8 |
| **89** | **93** | **104** | **116** | **92** | **95** | **110** | **93** | **71** | **45** | **38** | **57** | **93** | **115** | **120** |

> I think not. I believe it to be due, at least in part, to the general let-down and disorganization following the war. Of course, the Prohibition law has suffered in the general breakdown in common with other laws. Unbiased opinion everywhere supports this view.

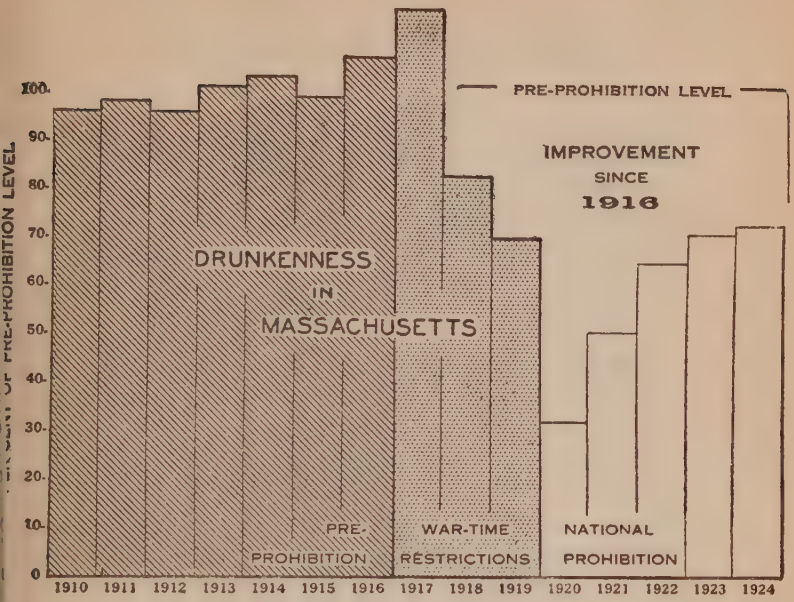
That such opinion is correct is amply substantiated by the facts thus far set forth in the charts of arrests for drunkenness in the cities of the Union as a whole, in New York City with respect to first offenders and confirmed drunkards, in the groups of wet and dry states, and in a typically hostile wet state like Connecticut.

### *New York City Again*

The authentic figures of total arrests for drunkenness per capita in New York City, are represented in Chart 19. This chart, for the wet city of New York as a whole, tells much the same story as the New York City charts for convictions of first offenders, and from them nothing can be gained to confirm the impression of Mr. Shirk and the gentlemen of the Moderation League that New York is generating a crime wave due to Prohibition, or that its youth are becoming corrupted by Prohibition influences.

### *Shirk's Tale of Drunken Drivers*

Another minor exhibit prepared by Mr. Shirk stresses the increase of arrests for drunken driving




**15. ARRESTS FOR DRUNKENNESS IN MASSACHUSETTS**

chart is of more than ordinary statistical value, as data are available for cities, or more than half as many as in the whole country.

---

**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests in 357 cities having a total population of 3,852,356 people in 1920. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain almost horizontal between 1920 and 1924, at about 35 per cent of its Pre-prohibition level.)

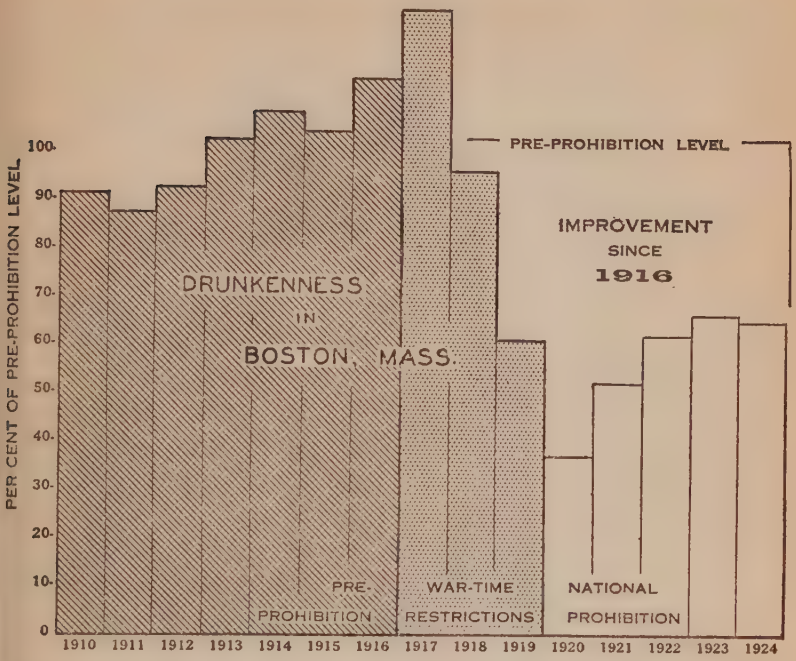
| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 95.7 | 99.0 | 98.7 | 104.9 | 108.2 | 106.1 | 116.7 | 129.5 | 92.8 | 79.2 | 37.2 | 59.6 | **75.7** | **84.3** | **85.9** |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (29.6)** | | | | | | | | | | | | | | |
| 28.4 | 28.9 | 28.4 | 29.8 | 30.4 | 29.4 | 31.8 | 34.8 | 24.6 | 20.8 | 9.6 | 15.2 | 19.1 | 21.1 | 21.4 |
| **96** | **98** | **96** | **101** | **103** | **99** | **108** | **118** | **83** | **70** | **32** | **51** | **65** | **71** | **72** |

of motor cars in the chief cities of the United States since the enactment of the Volstead act. He says:

> The increases under the Volstead act have been enormous. In New York City, for example, the arrests from 1916 to 1919 averaged 161. In 1920, the first dry year, they rose to 334, dropped slightly in 1921, and then skyrocketted to 944 by 1924, resulting in an increase of 484 per cent above the pre-prohibition level.
>
> Chicago, our second largest city, shows substantially the same result. Arrests there were 282 in 1919 and 1,523 in 1924, an increase of 440 per cent.
>
> Washington, our national capital, shows 53 arrests for drunken driving in 1918, and by 1924 had reached 616, an increase of 1,062 per cent.
>
> In Milwaukee, arrests were 10 in 1918 and 11 in 1919. They reached 292 in 1924, which is a rise of 2,554 per cent (1, p. 345).

Mr. Shirk, allowing for the increase of motor vehicles in the United States, from 1919 to 1924, notes that this was only 132 per cent, "whereas drunken drivers increased in the same period about 354 per cent on the average. The difference of 222 per cent is clearly attributable to the Volstead act" (1, p. 346).

Undoubtedly there has been an increase in the relative figures of arrests for drunken driving. Mr. Shirk accounts for it by saying that drinking before Prohibition was largely done indoors—in the




**16. ARRESTS FOR DRUNKENNESS IN BOSTON**
**showing the usual course**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Total population in 1920 was 748,060. Computations made from data furnished by the police department. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain almost horizontal between 1920 and 1924, at about 30 per cent of its Pre-prohibition level.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 47.7 | 46.4 | 49.8 | 55.0 | 59.2 | 57.8 | 65.1 | 73.4 | 54.9 | 35.5 | 21.8 | 31.0 | 37.6 | 39.6 | 39.5 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (78.2)** | | | | | | | | | | | | | | |
| 71.1 | 68.2 | 72.2 | 79.6 | 84.6 | 81.4 | 90.4 | 100.6 | 75.3 | 47.9 | 29.1 | 40.8 | 48.8 | 51.4 | 50.6 |
| **91** | **87** | **92** | **102** | **108** | **104** | **115** | **129** | **96** | **61** | **37** | **52** | **62** | **66** | **65** |

saloons—and after Prohibition, from a flask on the road:

> This is a motorized age, and the automobile is a dangerous instrument which must be kept out of the hands of intoxicated people; therefore, ban intoxicants.

The result of this, one of the strongest arguments for Prohibition,

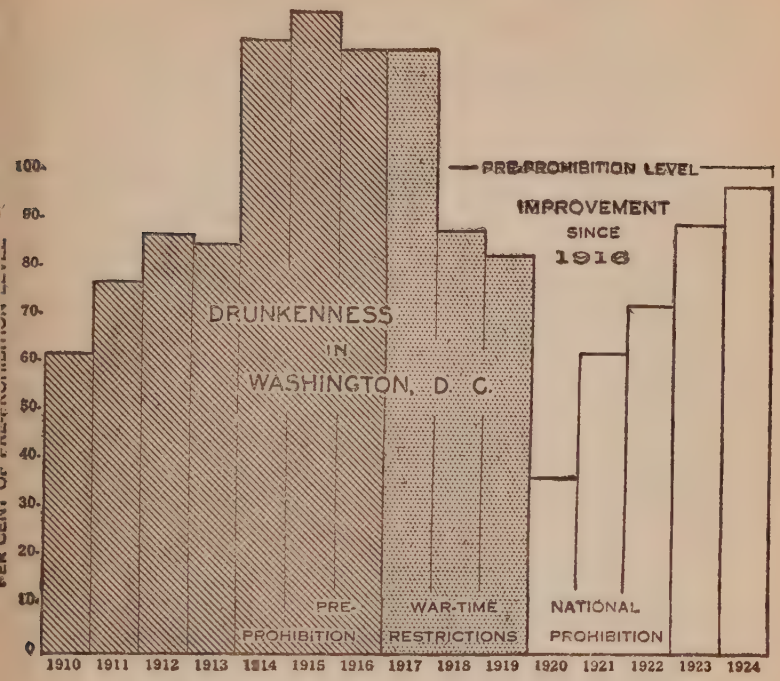
> unfortunately, has been precisely the contrary to what the prohibitionists intended and prophesied (1, p. 346).

Implicit in this criticism is the advocacy either of the return of the saloon wherein men may do their dangerous drinking, or the return of beer and wine —which amounts to the same thing.

The transportation industry maintained an effective prohibition against just this sort of thing when it instituted the rule of total abstinence among all of its employees, to whom it intrusted the lives of the public traveling upon its trains. Instant dismissal from the service was the penalty, and it was effective.

### *Non-Professional Drivers Increase*

But in the case of drunken drivers of motor cars, we have to deal with a phenomenon that has nothing to do with the imposition of the Prohibition law, namely, the acquirement by the masses, especially during the last seven years, of machines potentially




**17. ARRESTS FOR DRUNKENNESS IN WASHINGTON, D. C.**

ests in this city are now at about the same level as before Prohibition.

---

**STATISTICAL DATA AND TECHNICAL DETAILS**

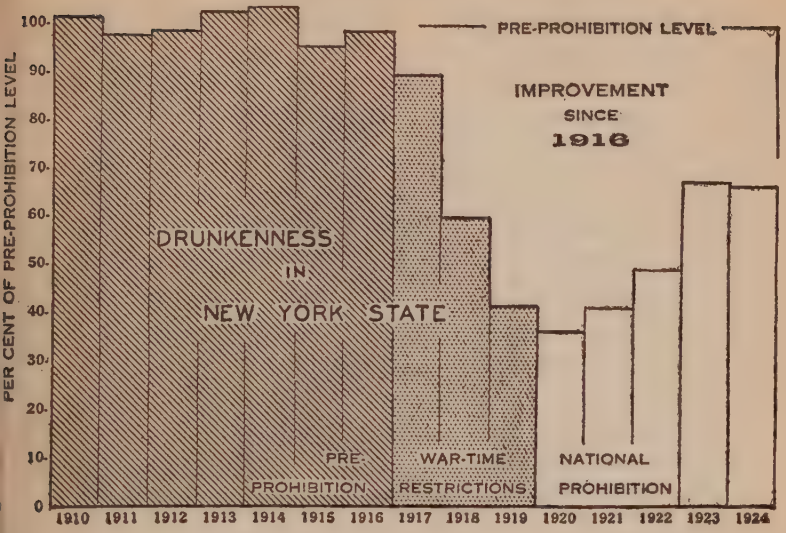
(Total population in 1920 was 437,571. Computations made from data furnished by the police department. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this second curve would remain almost horizontal between 1920 and 1924, at about 40 per cent of its Pre-prohibition level.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 3.8 | 4.9 | 5.7 | 5.7 | 8.9 | 9.8 | 9.4 | 9.7 | 6.9 | 6.7 | 3.6 | 5.4 | 6.4 | 8.1 | 9.0 |
| Arrests per 1000 population **and per cents of the Pre-prohibition Level (18.7)** | | | | | | | | | | | | | | |
| 11.5 | 14.4 | 16.3 | 15.8 | 24.0 | 25.1 | 23.5 | 23.6 | 16.4 | 15.6 | 7.0 | 11.7 | 13.6 | 16.9 | 18.4 |
| **62** | **77** | **87** | **85** | **128** | **134** | **126** | **126** | **88** | **83** | **37** | **63** | **73** | **90** | **98** |

as dangerous as the locomotive. With it has come the licensing, on a gigantic scale, of amateur drivers, out of all proportion to the licensing of professional chauffeurs.

Not only is there a pronounced increase of amateur drivers, but the character of the population that has come universally to own and drive cars is radically different from that of the class to whom this form of recreation was originally accessible. The automobile has fallen into the hands of reckless and dangerous elements, unskilled and given to the coarser pleasures, seeking relaxation in drink. Professor Thomas Nixon Carver of Harvard (3, pp. 63-64), in a recent book has fully analyzed the consequences of the recent wide diffusion of prosperity, which has put purchasing power into the hands of irresponsible men and women of low mentality.

This has created a market for the sale of all kinds of goods and services, including a flood of cheap literature, tabloid newspapers and magazines, the more sensational types of film plays, and so on, including advertisements of a sort designed to appeal to people of this character. Of course, the automobile offers as much attraction to them as to anybody. It may quite possibly prove, ultimately, the means of diverting their pleasure-seeking into more wholesome channels. But inevitably the arrests for drunken driving would increase for a considerable period, with the cheapening of the manufacture of automobiles by new invention and large-scale pro-




**18. ARRESTS FOR DRUNKENNESS IN NEW YORK STATE**

e arrests for drunkenness are now about 60 per cent of their Pre-prohibition el. The improvement is probably more real "up-state" than in New York y (see Chart 19).

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Number of arrests for intoxication in 29 cities, including New York City, having a total population in 1920 of 7,182,573, as reported by police departments. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this curve would remain nearly horizontal between 1921 and 1924, at about 30 per cent of its Pre-prohibition level. But probably the improvement in strictness of enforcement was less in New York than in most states; so that probably the truth is above 30 per cent.)

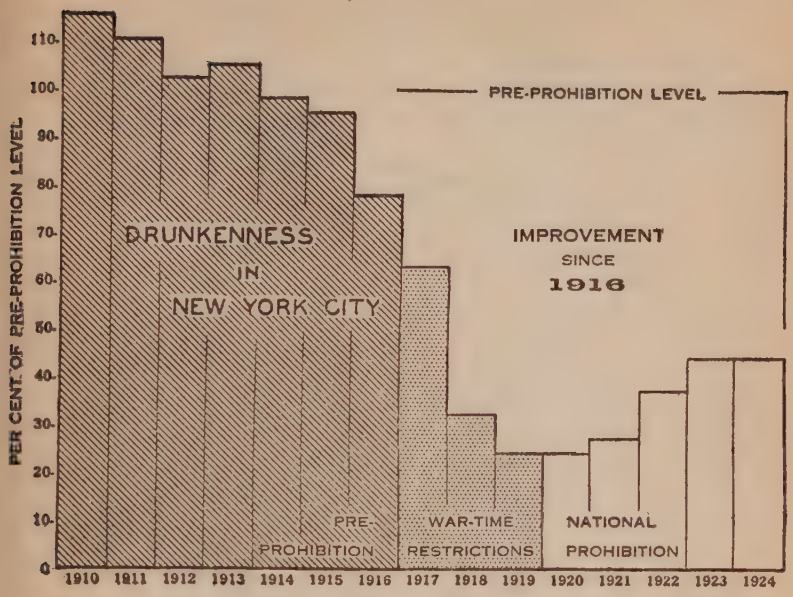
| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 44.4 | 43.8 | 44.9 | 47.9 | 49.3 | 45.9 | 48.4 | 44.7 | 30.1 | 21.0 | 18.6 | 21.5 | 26.1 | 36.3 | 36.6 |
| Arrests per 1000 population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (7.25)** | | | | | | | | | | | | | | |
| 7.33 | 7.10 | 7.15 | 7.49 | 7.57 | 6.93 | 7.19 | 6.54 | 4.33 | 2.97 | 2.59 | 2.95 | 3.53 | 4.83 | 4.80 |
| **101** | **98** | **99** | **103** | **104** | **96** | **99** | **90** | **60** | **41** | **36** | **41** | **49** | **67** | **66** |

duction, and the maintenance of high wages in the United States.

*Increased Probability of Accidents*

There is another important consideration which should not be overlooked. This is that the accidents from automobile driving, which, in most cases, lead to arrests for drunken driving, tend to increase far faster than the mere increase in the number of automobiles. Rather, they increase with the number of times automobiles pass each other—which is, probably, approximately as the square of the number of automobiles. If there are 100 automobiles in a city, each has the possibility of colliding with the other 99. That makes 100 x 99, or 9,900 possible collisions. But if there are 1,000 automobiles, ten times as many, the number of possible collisions is 1,000 x 999 or 999,000, which is not ten times as many but about a hundred times as many!

I do not know whether automobile accidents have or have not increased as the square of the increased number of cars, as this computation of *possible* collisions suggests; but if this is the case, an increase in the number of cars of 132 per cent (*i.e.,* an increase in the ratio of 2.32 to 1.00) would naturally result, other things equal, in an increase in the number of accidents (and in the number of arrests) of 2.32) x (2.32) or 5.38 fold, *i.e.,* an increase of 438 per cent instead of the 354 per cent which Mr. Shirk finds.




**19. ARRESTS FOR DRUNKENNESS IN NEW YORK CITY**

The strong wet sentiment, under Governor Smith, which brought about the repeal of the Mullen-Gage law, may be largely responsible for the large decrease in the number of arrests in this city.

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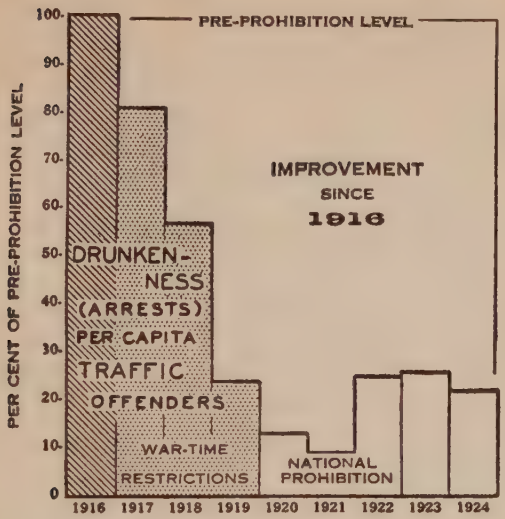
**STATISTICAL DATA AND TECHNICAL DETAILS**

(Total population in 1920 was 5,620,048. Computations made from data furnished by the police department. If a second curve were drawn as in Charts 4 and 7, making allowance for increased strictness of enforcement on the basis described in the footnote on page 32, this curve would remain almost horizontal between 1920 and 1924, at about 25 per cent of its Pre-prohibition level. But this would be misleading, because probably the improvement in strictness of enforcement was less in New York City than in most cities; so that the truth is probably much above 25 per cent.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests (in thousands) | | | | | | | | | | | | | | |
| 22.5 | 22.0 | 20.6 | 21.7 | 20.3 | 20.2 | 17.1 | 13.8 | 7.1 | 5.6 | 5.9 | 6.2 | 8.6 | 10.6 | 10.9 |
| Arrests per 1000 population **and per cents of the Pre-prohibition Level** (4.1) | | | | | | | | | | | | | | |
| 4.7 | 4.5 | 4.2 | 4.3 | 4.0 | 3.9 | 3.2 | 2.6 | 1.3 | 1.0 | 1.0 | 1.1 | 1.5 | 1.8 | 1.8 |
| **115** | **110** | **102** | **105** | **98** | **95** | **78** | **63** | **32** | **24** | **24** | **27** | **37** | **44** | **44** |

These considerations should bring the figures of arrests for drunkenness among drivers more nearly into line with the demonstrated facts concerning decreased totals of arrests for drunkenness in general among the states and cities of the country.




**20. ARRESTS FOR DRUNKENNESS COMPARED WITH ARRESTS FOR TRAFFIC LAW VIOLATIONS**

Traffic law violations greatly eclipse liquor law violations.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Arrests for intoxication and for all traffic offenses as reported by the police departments, in ten cities, including five cities in Ohio, and New York City, Dallas, Tex., Washington, D. C., Philadelphia, Pa., and Baltimore, Md. These are in five states and the District of Columbia, and have a combined population of 8,770,000.)

| 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|
| Arrests for Drunkenness (in thousands) | | | | | | | | |
| 78 | 71 | 56 | 36 | 28 | 40 | 61 | 75 | 79 |
| Arrests for Traffic Violations (in thousands) | | | | | | | | |
| 58 | 65 | 73 | 111 | 156 | 153 | 184 | 210 | 261 |
| Arrests for Drunkenness per 100 Arrests for Traffic Violations | | | | | | | | |
| **and per cents of the Pre-prohibition Level (135)** | | | | | | | | |
| 135 | 109 | 76.7 | 32.4 | 18.0 | 26.2 | 33.2 | 35.6 | 30.3 |
| **100** | **81** | **57** | **24** | **13** | **19** | **25** | **26** | **22** |

## CHAPTER V

### Drinking Among the Youth

*At the Nation's Capital*

The exaggerations as to increased drinking among the youth of the country are next in order to be considered. And here Mr. Shirk is found not wanting in willingness to contribute to the testimony as to their corruption.

He declares that while there is little that is authoritative on the subject, records of arrests of young people for drunkenness are furnished by the police department of Washington, D. C. He reports:

> Arrests of persons under 22 years old average 44 a year for the four pre-prohibition years 1914-1917. A bone-dry law was enacted for Washington before National Prohibition became effective, and immediately youthful drunkenness increased. In 1918 it rose to 73 and by 1924 had reached 282, an increase of 540 per cent above the pre-prohibition level. . . . This condition in Washington merely confirms what is known to exist in the rest of the country (1, p. 346).

Now it would be interesting to learn the proportion of young people in Washington to total popula-

tion in war time and during the years following the war, as compared with the years from 1914 to 1917. No sooner was war declared than the capital of the nation became a vast encampment, surrounded by army concentration camps and filled with young men in newly created civilian stations drawn from every part of the country. Washington was immediately a city charged with the excitements of mobilization, war preparations, organization of industries and all manner of activities on a national scale, and it became a Mecca for the youth of the country. The doubling and trebling of the government personnel remained to a large extent even after the war, because the bureaus and commissions had become permanently enlarged. The artificial atmosphere and stimulations of the nation's capital might easily produce among certain of the youth who flocked there a record of excesses that would hardly be typical of conditions among the youth in other parts of the country. It is unfortunate for Mr. Shirk's contentions that he fails to present such a record for any other city. Moreover, the Superintendent of the Police Department of Washington reports:

> Prior to July 1, 1923, it was not an offense to be intoxicated in the District of Columbia.*

Here is another case of increased severity of

* Report sent to Irving Fisher, August, 1926, by Major Edwin B. Hesse, Superintendent, Police Department, Washington, D. C.

arrests, as enjoined by law, to explain Mr. Shirk's charts based on raw statistical data.

*Prohibition in the Colleges*

There is ample testimony concerning the effect on youth of Prohibition—not only the testimony already given, including the diminishing totals of first offenders on the charge of drunkenness, but quite as typical a record of Prohibition enforcement in the colleges.

The case of Yale University, in fact, presents a unique test of a change of custom in the face of disapproving opinion.

There can be no doubt that the prevailing sentiment among Yale students is wet. The statistics of the Senior class of Yale College, published early in 1926, showed that 80 per cent of that class were wet in their sympathies. This is a larger proportion than the figures for Harvard reported during 1925, and far larger than the recent survey of eleven colleges, mostly Middle Western, which show that two-thirds of the men and four-fifths of the women students favor strict enforcement.

Not only is the Yale student sentiment prevailingly wet, but the city and state in which Yale is located are among the wettest in the Nation. Connecticut did not ratify the Eighteenth Amendment, and recently refused an opportunity to tighten up its inadequate enforcement legislation. The newspapers of New Haven are uniformly wet. Many

judges are wet. Besides living in this damp atmosphere, the students largely come from the great wet cities, especially New York, and a large fraction of the students are from homes of the well-to-do who can support wine cellars. Thus tradition and environment conspire to moisten these young men's minds, if not their throats. Moreover, the students are just at the age at which, we are so often told, Prohibition is corrupting the youth.

If, therefore, anywhere in this great country, Prohibition ought to prove a rank failure, it should be among such a group of susceptible young men as we have at Yale. I have taken great pains to ascertain the actual facts in the case. Not relying on my own impressions, I went to those who had the recorded facts of students in disciplinary cases, the eight authorities who knew the facts at first hand, and far better than others. At least two of these eight men I know to be strongly opposed to Prohibition. One I know to be strongly in favor. The attitude of the other five I do not know positively, but I believe that it is mostly opposed to Prohibition. The facts at Yale, as these authorities have given them to me in writing, are summarized as follows:

Frederick S. Jones, outgoing Dean of Yale College, says:

> I think, on the whole, there is decidedly less drinking than before Prohibition, and conditions have been improving with time. On the other hand, the cases with which I have to deal

are often more acute than those encountered before Prohibition. The college fraternities have forbidden liquor in their houses, and are living up to this rule.

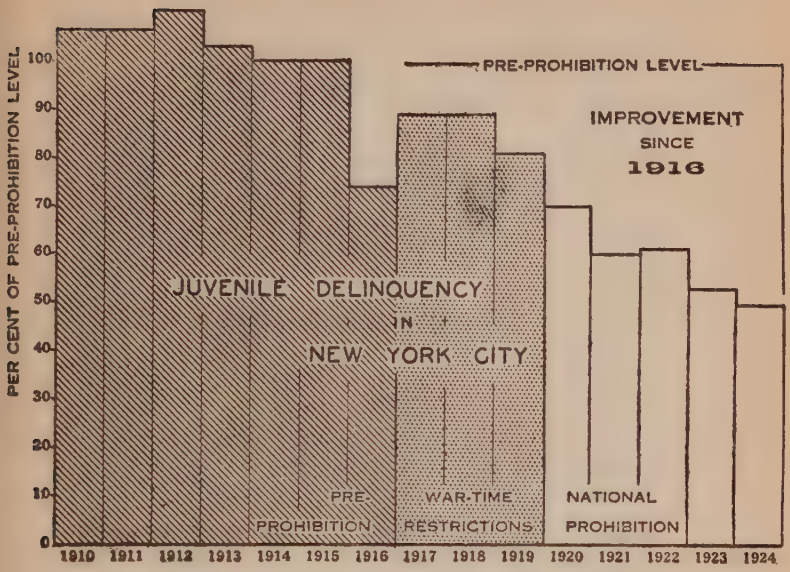
C. W. Mendell, incoming Dean of Yale College:

> I should say on the whole that Fay Campbell's summary [see below] of the matter was reasonably good, and as near to the facts as one could hope to come. It seems to me, however, that he has overlooked one very important fact, that there is more drinking of hard liquor now than there was before Prohibition. This, I think, cannot be questioned. In the old days the staple drink was beer, and I am inclined to think that it led to very little harm. The present drinking of hard liquor almost always results in trouble of some sort, so that scenes of public disgrace are rather worse than they used to be. The drinking is more occasional, but more disastrous. Personally, I am not a believer in Prohibition.

E. Fay Campbell, Secretary of the Yale University Christian Association:

> The police feel that this year there was less drinking at the junior prom. than at any time in many years. There was a great deal of drinking at the games. I am perfectly sure, however, that there was not nearly as much drinking as in 1915 when I was a sophomore.

Charles H. Warren, Dean of the Sheffield Scientific School:




**21. JUVENILE DELINQUENCY IN NEW YORK CITY**
**cut in half and decreasing**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Total arraignments for juvenile delinquency aged 7 to 15 years, per 10,000 of the juvenile population. Computed from Annual Reports of the Children's Court of New York City.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total number of Delinquency Arraignments | | | | | | | | | | | | | | |
| 7950 | 8040 | 8560 | 8020 | 7900 | 7930 | 5970 | 7230 | 7040 | 6730 | 5830 | 5120 | 4670 | 4580 | 4360 |
| Arraignments per 10,000 Juveniles | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (92.9)** | | | | | | | | | | | | | | |
| 98.2 | 98.1 | 103. | 95.7 | 93.3 | 92.6 | 69.0 | 82.7 | 83.0 | 75.3 | 64.6 | 56.2 | 57.0 | 49.3 | 46.5 |
| **106** | **106** | **111** | **103** | **100** | **100** | **74** | **89** | **89** | **81** | **70** | **60** | **61** | **53** | **50** |

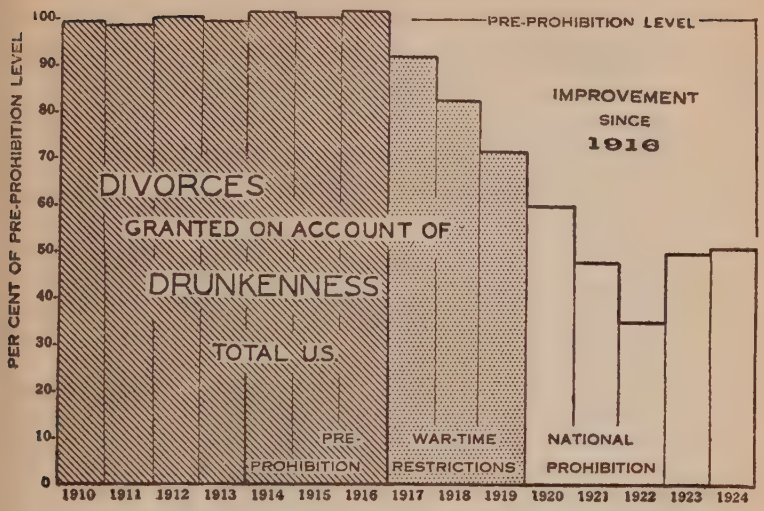
Four years ago I was appalled at the drinking among the students. The alumni were even worse. Since that time there has been a very steady improvement. I think there is less drinking now than ever before in the University. The worst offenders are the returning alumni at the football games and at commencement.

Charles C. Clarke, Professor of Romance Languages:

I am not a prohibitionist and have never been. I will admit to you, however, that the effect of Prohibition at Yale University has been good. I know whereof I speak, for I have been a member of the committee on discipline from a time dating back many years before Prohibition. I know conditions intimately. I do not pretend that the students are prohibitionists or are not drinking. But the change has been simply revolutionary. In the old days our committee was constantly busy with cases involving intoxication and the disorders arising from it. Now we have practically no business of the kind at all to transact. Moreover, this is in spite of the fact that in the old days we rarely troubled ourselves about a case of mere intoxication if it had not resulted in some kind of public disorder, whereas now intoxication of itself is regarded as calling for the severest penalty.

Roswell P. Angier, former Dean of Freshmen:

Among freshmen the situation got distinctly better from year to year of my administration, September, 1920, to June, 1924.




**22. DIVORCES GRANTED ON ACCOUNT OF DRUNKENNESS in the U. S. cut in half**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished in "Marriage and Divorce: 1924," pages 16 and 24. Figures underlined are interpolated between available data.)

| | **1906** | **1910** | **1911** | **1912** | **1913** | **1914** | **1915** | **1916** | **1917** | **1918** | **1919** | **1920** | **1921** | **1922** | **1923** | **1924** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Divorces per 100,000 married couples | 462 | 502 | 512 | 522 | 532 | 542 | 552 | 562 | 578 | 595 | 611 | 627 | 643 | 660 | 720 | 746 |
| Per cent which Drunkenness Contributes to all Divorces | 3.9 | 3.7 | 3.6 | 3.6 | 3.5 | 3.5 | 3.4 | 3.4 | 3.0 | 2.6 | 2.2 | 1.8 | 1.4 | 1.0 | 1.3 | 1.3 |
| Number of Drunkenness Divorces per 100,000 married couples living | 18.5 | 18.4 | 18.8 | 18.6 | 19.0 | 18.8 | 19.1 | 17.3 | 15.5 | 13.4 | 11.3 | 9.0 | 6.6 | 9.4 | 9.7 | |
| **Per cents of Pre-prohibition Level (18.7)** | **98.9** | **98.3** | **100.5** | **99.5** | **101.6** | **100.5** | **102.1** | **92.5** | **82.9** | **71.7** | **60.4** | **48.1** | **35.3** | **50.3** | **51.9** | |

Percy T. Walden, present Dean of Freshmen:

> There was much more open traffic in liquor at the games this year. The freshmen found more drinking places this year than formerly, at least since Prohibition came in.

James R. Angell, President of Yale University:

> The impression which I get from all well-informed alumni with whom I talk is that, despite the all too frequent violation of the law, the amount of drinking at present, and particularly the amount of excessive drinking, is very much less than it was in earlier years.

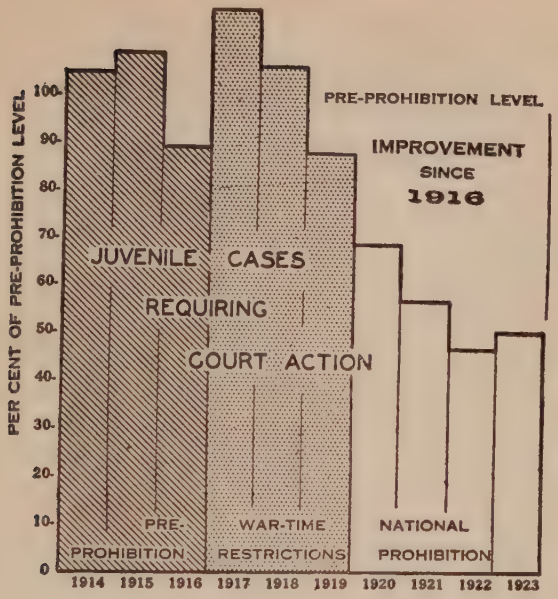
I would summarize my own conclusions, based on the authorities quoted, on my own observations, and on conversations with others informed on the situation, as follows:

(1) The number of discipline cases at Yale in which drinking is a factor is now very much smaller than before Prohibition.

(2) The improvement has been especially noticeable in the last few years.

(3) Such drinking as still remains at Yale is often more concentrated and uproarious than before the Prohibition period. When liquor that was largely beer was easily obtainable, many got it, got it often, and got it in small quantities. Now that it is harder to get, fewer get it, get it more seldom, but when they do get it, make up for lost time.

(4) Prohibition created a defiant attitude in many




**23. JUVENILE OFFENSES REQUIRING COURT ACTION in New York cut in half**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data obtained from reports of the New York Society for the Prevention of Cruelty to Children.)

| 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 |
|---|---|---|---|---|---|---|---|---|---|
| Number of Cases | | | | | | | | | |
| 2283 | 2489 | 2013 | 2718 | 2477 | 2071 | 1643 | 1375 | 1140 | 1260 |
| Cases per million population | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (432)** | | | | | | | | | |
| 448 | 469 | 380 | 506 | 454 | 375 | 292 | 242 | 197 | 214 |
| **104** | **108** | **88** | **117** | **105** | **87** | **68** | **56** | **46** | **50** |

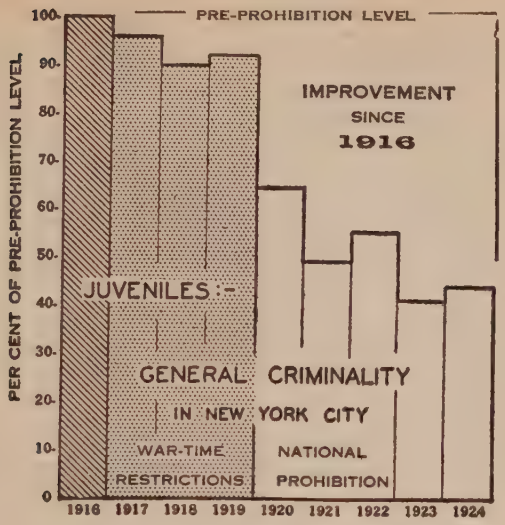
students. It is unpopular even among many who do not try to circumvent the law.*

The various canvasses of student opinion in the colleges of the United States are interesting chiefly as reflecting the opinion of the students' elders, wet or dry, according to the general prevalence of opinion in their localities.

The testimony of more than two hundred college and university heads who answered the questionnaire sent out by the *Literary Digest* to approximately all such institutions of the country, brought answers declaring the beneficial effect of Prohibition on the student bodies and on youth in general.

To the question whether drinking had increased or decreased during Prohibition as they had observed it, 213 college heads representing 44 states and nearly a third of the total of higher colleges and universities, almost unanimously reported that drinking in the colleges and drinking by the younger generation as a whole had decreased. The conclusion of the *Literary Digest,* drawn from such testimony, is that, "there are actually fewer drinkers in the colleges now than in the days when there were only one-third the present number of students" (53, p. 30.)

* A poll taken at Yale University at the time of the Prohibition hearings at Washington in April, 1926, recorded the belief of a large majority of students that Prohibition has increased drinking. But, as they were on an average thirteen years old when Prohibition came into effect and were not at Yale University at the time but scattered all over the United States, their opinion cannot carry much weight.




**24. ARRESTS OF JUVENILES FOR CRIMES IN GENERAL**
**in New York City cut in half**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data obtained from the Police Department of New York City.)

| 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|
| Number of Arrests | | | | | | | | |
| 2279 | 2217 | 2101 | 2186 | 1553 | 1191 | 1376 | 1026 | 1129 |
| Arrests per million population | | | | | | | | |
| **and per cents of the Pre-prohibition Level (431)** | | | | | | | | |
| 431 | 414 | 386 | 395 | 276 | 209 | 238 | 175 | 190 |
| **100** | **96** | **90** | **92** | **64** | **49** | **55** | **41** | **44** |

*Fewer Juvenile Delinquents*

Another good measure of the moral improvement of the rising generation is to be derived from the statistics of juvenile delinquency. In Chart 21 is shown a rapid decline of the curve of juvenile delinquency in New York City. Here is a typical major exhibit illustrating the benefits of National Prohibition in a wet city, undefended by a local law such as most cities benefit by in coöperation with the Federal Prohibition enforcement agents. Despite this handicap, juvenile delinquency has been cut in half in New York City.

These and other facts brought out in this chapter confirm, and are confirmed by, the facts brought out in previous chapters, especially those of Chapter II, showing that new recruits in the army of alcoholics are rapidly decreasing.

## CHAPTER VI

### Public Sentiment

*Dislike of Prohibition Exaggerated*

So far I have shown the exaggerations of Mr. Shirk and his associates as to the non-enforcement of Prohibition. I shall next point out that they exaggerate the lack of public sentiment behind Prohibition.

In the opening chapter I have already stated my belief that National Prohibition came prematurely, before a proper try-out of War-time Prohibition had sufficiently prepared the population of the large cities for Constitutional Prohibition. The very fact that there should now be a few outstanding examples of leaders of public opinion opposed to National Prohibition, however misled they are as to the facts of improvement of the nation's morale under this law, seems to be conclusive evidence that Prohibition came a bit too soon. Only two-thirds of the country was fully ready for it, while the great cities in the East were not ready at all. Uncle Sam had swallowed the camel, seven stomachs and all, but gagged at the tail!

*Growth of Public Sentiment*

But, although the country at large forced Prohibition upon the cities of the East, there is reassurance in the fact that, even among these, the pronounced benefits of the new régime are understood and appreciated by a large minority.

Moreover, the antecedent spread of Prohibition among the states and their sub-divisions records a historic growth, on which the enforcement of the Federal Law is now broadly based.

The Prohibition movement logically developed from the temperance movement during the latter half of the nineteenth century. By 1914, a large area of communities had abolished the saloons by local option, and nine states had passed Prohibition statutes. But within the next four years, 23 more states abolished the liquor traffic within their borders.

After Congress submitted the Eighteenth Amendment for ratification by the states, it was overwhelmingly ratified by 45 states in rapid succession. Three years later New Jersey, the 46th state, ratified it, leaving only Connecticut and Rhode Island dissenting. No other of the nineteen amendments to the Constitution, including those embodying the Bill of Rights, has received the affirmative votes of so many states as did the Prohibition amendment.

On top of that, the Volstead act overrode by a two-thirds majority a presidential veto, becoming effective January 17, 1920. To be sure, this impres-

sive majority was secured not altogether as an expression of the popular will. The Anti-Saloon League, patterning after the very thorough organization of the liquor interests in every congressional and state legislative district, had built up a superb political machine of deadly efficiency. It had already filled a political graveyard of national proportions of which the membership of Congress was on notice.

But the efficiency of the Prohibition machine, in turn, depended, in the last analysis, upon its ability to appeal to local sentiment throughout the Union. This sentiment had grown steadily, after numerous experiments with all kinds of licensing and restrictive measures, until Prohibition resulted, first among a few states, then among many, until nearly three-quarters of them had adopted statewide Prohibition and swept it irresistibly into the Federal Constitution. It went there, in the end, by a headlong impulse, without regard to important and yet unconverted sections of public opinion.

Yet we have found indubitable evidences even in these sections that Prohibition has worked quite well. Since this is so, the process of their conversion should not be so difficult.

In short, those who oppose Prohibition with the immoderation of the Moderation League, exaggerate greatly both the extent of non-enforcement and the difficulty of enforcement because of lack of public sentiment. Prohibition ought to be far

better enforced than it is, and ought to have more public sentiment behind it. But what has been accomplished is substantial, and the present public sentiment in favor of going forward, not backward, is, to say the least, strong and determined.

### Historical Note

When we are confronted with the facts of drinking in past centuries we begin to realize how the world had moved even before Prohibition came, or was discussed.

We read now with amazed amusement that at the funeral of a minister's wife, in New England in 1678, fifty-one and one-half gallons of wine were consumed by the mourners (38, p. 29); or that an Act on the part of the Virginia Assembly was necessary in 1664 in order to provide that "Ministers shall not give themselves to excess in drinking or riot, spending their time idly by day or night, in playing at dice, cards, and other unlawful games" (38, p. 26).

Hard and excessive drinking was tolerated in every walk of life when New York was first settled by the Dutch, we are told by Mr. Robert E. Corradini, who made a special study of the effect of Prohibition on Broadway. "Even the first 'dominie' often indulged in immoderate tippling. . . . One of the Dutch Burgomasters was, at the same time, tavern keeper. He owned the wine, beer and liquor shop at Number One Broadway. While under the Dutch and British heavy drinking was commonplace, the advent of American Independence did not affect the thirst and the habits of the people very much. The following advertisement in the *New York Gazette* of December 4, 1769, may indicate how drinking was looked upon:

*'An hostler—*
that gets drunk no more than twelve times in a year, and will bring with him a good recommendation, is wanted. Such a person will meet with encouragement by applying to H. Gaine.'

"The prevailing formula of those days seems to have been:

'Not drunk is he who from the floor
Can rise again and still drink more,

But drunk is he who prostrate lies
Without the power to drink or rise'" (44, pp. 3-4).

Lady Astor, of the British Parliament, tells us that in England even five hundred years ago an Act was passed "for Keepers of Alehouses to be bound by Recognizances . . . inasmuch as intolerable hurts and troubles to the Commonwealth of this Realm do daily grow and increase through such abuses and disorders as are had and used in common alehouses and other houses called tippling houses." Only a hundred years ago in England, she tells us, there was "a volume of evidence as to the national demoralization caused by excessive indulgence in gin and other such spirituous liquors" (36, pp. 265-266).

"In the early part of the Eighteenth Century, London gin shops advertised that people might get drunk for a penny," Professor Henry W. Farnam of Yale University reminds us, "and that clean straw in comfortable cellars would be provided for customers. This was a great boon for the individualist, but even Merry England saw that this kind of debauchery was not very useful to the wife and children of the drunkard, and passed the gin act of 1736" (45, p. 9).

It was about sixty-five years ago that an Act in England prohibited miners' pay offices being contiguous to liquor premises (1860), and about fifty years ago that an Act prohibited the payment of workers' wages on liquor premises (1872-1873). About twenty-five years ago, in England, it was still necessary to pass an Act to further "strengthen the law against drunkenness," and to "forbid the holding of Petty Sessions in Public Houses" (1902); also an Act to exclude children under fourteen from the bars of Public Houses and to prohibit the giving of alcohol to children under five (1908)—Acts that attest with eloquence to the conditions and distresses that must have aroused communities to take such steps (54, pp. 266, 267).

In Colonial days in America men drank as they ate, as a matter of course, we are told in "Save America": "Governor Winthrop of Massachusetts said March 3, 1639: 'We observed it a common fault with our grown people that they gave themselves up to drink hot waters very immoderately.'" And we read a little later of a minister, who would appear drunk at the communion table. His parishioners, finally deciding that this was too much, tried to remove him. But the ministers of his community rallied to him and nothing could be done (18, p. 17).

"At the beginning of the Eighteenth Century, when the New World was setting up in business, it was 'drink' the Old World herald, usher and sergeant at arms of feudal power that had charge," Mr. John G. Woolley tells us, in "A Hundred Years of Temperance." "Seed time was time to drink. Harvest time waved its yellow banners over jugs in the fence corners. Barns and homes and schools were raised with the black bottle. The bar was required by law to be set up, convenient to the church. The sacrament was alcoholic. The chief drug in the

pharmacopœia was spirits. Drink was godfather at every christening, master of ceremonies at every wedding, first aid in every accident and assistant undertaker at every funeral. It had come with the Spanish to St. Augustine in 1565. It had carried the first Virginia election for John Smith in 1607. It was the "Dutch courage" of Manhattan Island in 1615. It led the prayers on Plymouth Rock in 1620. It arrived in Baltimore in 1634. It fuddled the brotherhood of Philadelphia in 1682. It was the first organized treason, in the whisky rebellion of 1791. It has been the *fata morgana* of many millions of immigrants to this day" (46, p. 6, 1908).

Only one hundred years ago a town in Massachusetts with 1,800 inhabitants consumed 10,000 gallons of rum in one year (38, p. 97).

And just as a sample of what alcoholic drink did to them, in those days, it may be mentioned that of 623 adults in a Maryland almshouse, 554 of them were there from poverty believed to have been produced by drink (38, p. 99).

## CHAPTER VII

### The Passing of the Saloon

*Degree of Federal Enforcement*

Thus far I have tried to clear the records of the exaggerations which heavily overhang them in the minds of honest doubters as to the efficacy of the Prohibition law. In particular, I have dealt with the decrease of arrests and the diminution of the drink habit under Prohibition, in the United States, as well as among typical states, cities, and classes of the population. The true and corrected figures show that the changes have been for the better.

In this chapter I shall give some facts to indicate the degree of Federal enforcement, and emphasize the chief results. Assistant Attorney General Mabel Walker Willebrandt, in charge of cases under the Volstead act, stated to the Senate Judiciary Subcommittee at Washington that Federal convictions rose from 22,000 in 1922, with $4,000,000 collected in fines, to 38,000 in 1925, and $7,681,000 in fines. Jail sentences, also, increased from an average of 21 days in 1923 to 34 days in 1924, and, in 1925, to more than 43 days. In 1922, total penitentiary sentences of 1,552 years were given; 3,406 years in

1924, and 4,569 years in 1925. To the question "Is the law enforced?" Mrs. Willebrandt's reply was: "Increasingly effectively" (1, p. 1129).

For example, in Gary, Indiana, some fifteen major violators of the law had been caught, including the mayor, police officers, judges, and a number of enforcement agents; they were at that time serving terms in Federal penitentiaries under the laws against conspiracy and bribery. The more recent conviction of William V. Dwyer, guilty of conducting a $20,000,000-a-year business in rum running, signalizes a control over smuggling by sea that has discouraged the big operators to the extent of their withdrawal of hundreds of vessels from the famous "Rum Row" that once found it profitable to hover off the coast beyond the twelve-mile limit. General Andrews, Assistant Secretary of the Treasury in charge of Prohibition Enforcement, recently announced that coöperation with the British government had been arranged whereby "Rum Row" will be still further shriveled up.

Doubtless the violators of the Prohibition law blame the law itself for their plight, just as the grafters convicted of importing bootleg milk into New York are inclined to find fault with the law under which they were convicted. The eminent grafters of the Tweed Ring, the gamblers of the Louisiana Lottery, the criminals of the Crédit Mobilier scandals, and all swindlers, high and low, when caught, like the wretch who felt the halter

draw, lack good opinion of the law. Public sentiment, in the history of all these cases, has uniformly turned a deaf ear to the offenders.

*Active Local Coöperation*

Mrs. Willebrandt reported uniformly active cooperation of state and Federal officials except from New York, which repealed its enforcement act.

Following unification of the enforcement activities of the Prohibition Unit with the Coast Guard and internal revenue officials, Assistant Secretary Andrews has reported success in the policy of employing the best obtainable legal counsel and skilled enforcement agents, working under the Prohibition administrators at higher salaries. The Federal district attorneys have come to an effective understanding with local enforcement officials as to the powers of the padlock in cases of illicit distribution of beverages; further, in certain districts, the Prohibition Unit gets the aid of landlords who realize that it is bad business to rent their buildings for the use of violators of the liquor laws. General Andrews has worked vigorously to cleanse the Prohibition Unit of its corrupt officials, and has concentrated on the work of stopping the supply of illicit liquors at the source, looking with increased confidence to local help in enforcing the law in the states and municipalities. The efforts of enforcement officials in the Philadelphia district alone resulted in reducing the output commonly diverted

into illicit channels, production falling at one time from 1,700,000 gallons at the denaturing plants to 500,000 gallons in a single month.

A similar achievement by the alcohol squad of the Prohibition Unit in New York, where the output of the denaturing plants fell from 600,000 gallons to 300,000 gallons during December, 1925, indicates progress in stopping one of the sources of bootleg liquor.

In fact, the formulæ for making denatured alcohol under which it could easily be redistilled for beverage purposes, have been proscribed. According to recent reports, gasoline is being included as a denaturant. A new regulation for control of sacramental wine has reduced the output of this wine by more than 50 per cent (1, p. 1406). The formal declaration for making household fruit juices, which people were mistaking for a permit to make wine, 200 gallons per family, has been eliminated. A way has been found to double the tax penalties on illicit whisky or alcohol, which was in force before Prohibition. The special alcohol squad, organized for control of beverage alcohol, beer, and near-beer, has proved efficient. From all his administrators in the field General Andrews received, early in 1926, special advices of gratifying strides in local law enforcement throughout the country.

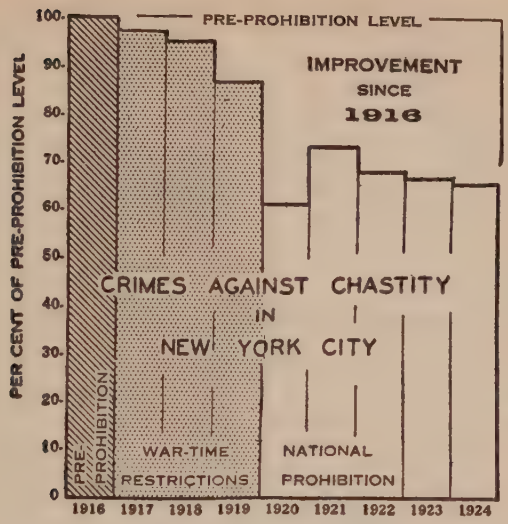
In the lax city of New York, which has lacked a state enforcement act since 1923, a measure of Prohibition sentiment was indicated in the testimony

of Federal Attorney Buckner before the Senate Subcommittee. On taking office in 1925, Mr. Buckner said that the police commissioner of New York began turning over to him 15,000 complaints of violations a month, or 180,000 complaints a year. These, he continued, were

> from neighbors and citizens made to the police commissioner. And he told me as police commissioner that he would be removed from office, in his opinion, if he did not attempt to do something in that situation, even without any help in the State courts and with only the Federal courts to go to. And even with the cases being thrown out as they were, yet receiving 180,000 complaints a year from citizens, he certainly could not sit idly by and do nothing (1, p. 99).

### *"Crime Wave" Exaggerated*

To gauge further the law-abiding quality of New York's citizenship, expressed in terms of compliance and benefits derived, the World League Against Alcoholism found, in its survey, that during 1923 and 1924, when talk of a "crime wave" was in the air, the police reports showed that, as compared with the saloon year of 1916, arrests had decreased in offenses "against the person," including many serious felonies; "against chastity"; "against the family and children"; "against the administration of government"; against "property rights," and in cases of "juvenile delinquency." The accompany-




**25. CRIMES AGAINST CHASTITY in New York City**

A third less under Prohibition.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

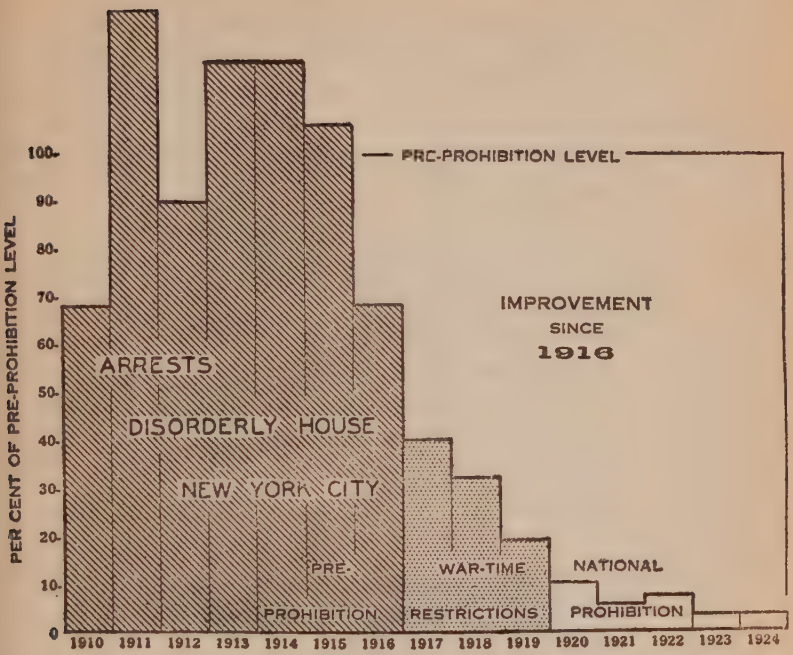
(Computations made from data obtained from the Police Department of New York City.)

| 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|
| Number of Arrests | | | | | | | | |
| 5594 | 5559 | 5562 | 5049 | 3610 | 4408 | 4158 | 4155 | 4166 |
| Arrests per million population | | | | | | | | |
| and per cents of the Pre-prohibition Level (1060) | | | | | | | | |
| 1060 | 1040 | 1020 | 913 | 642 | 772 | 718 | 709 | 700 |
| **100** | **98** | **96** | **86** | **61** | **73** | **68** | **67** | **66** |

ing charts depict a decreasing number of New York offenders in all these categories during the National Prohibition period. It is only in cases not related to alcoholism that any increases in arrests are noted, chiefly having to do with violations of the Motor Vehicle Law. As against these are marked decreases of arrests for drunkenness during 1923 and 1924, as compared with 1917.

Contrasted with the arrests for drunkenness in the so-called moderate wine-drinking cities of Paris and Liège, Belgium, as well as with convictions for drunkenness in London, the corresponding records of New York are decidedly good.

The "crime wave" on account of Prohibition, alleged at the National Prohibition hearings in Washington in 1926, by the Honorable Alfred J. Talley, Judge of the Court of General Sessions of the State of New York (1, p. 143), seems to be a myth. The testimony of that court's probation officer, quoted by Judge Talley, as to the influence of speakeasies on the youth of to-day, culminating in lawless acts under the stimulation of poisonous whisky, seems to have too small a foundation to be very significant. The same may be said of the testimony of Mrs. Viola M. Anglin, deputy chief probation officer of New York City, who could not give figures for thinking "that the children are suffering more, that the wives are suffering more than they did before" (1, p. 430). Doubtless Mrs. Anglin has seen suffering among children and mothers, be-




**26. ARRESTS FOR KEEPING DISORDERLY HOUSES**
**in New York City all but disappeared**

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data obtained from records of the Court of Special Sessions, New York City.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests | | | | | | | | | | | | | | |
| 218 | 421 | 296 | 399 | 406 | 369 | 239 | 142 | 118 | 72 | 38 | 18 | 29 | 13 | 11 |
| Arrests per million population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (66.8)** | | | | | | | | | | | | | | |
| 45.6 | 86.8 | 59.9 | 79.4 | 79.4 | 71.1 | 45.2 | 26.5 | 21.6 | 13.0 | 6.8 | 3.2 | 5.0 | 2.2 | 1.8 |
| **68** | **130** | **90** | **119** | **119** | **106** | **68** | **40** | **32** | **19** | **10** | **5** | **7** | **3** | **3** |

cause of the drunken excesses of husbands who have imbibed poisonous bootleg liquors. But not so many are drinking, and those who do are not drinking so much as formerly.

It may be true, as contended by Senator William C. Bruce of Maryland,

> that women and young boys and girls of social classes that never took a drink before are now indulging in liquors which are a menace to their morals and their health (1, p. 146).

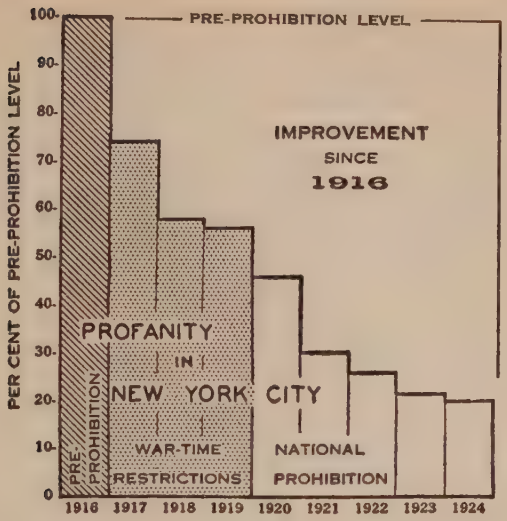
There are doubtless some of these. But their number is not great in proportion to population and their excesses do not characterize the habits of American society in general.

There is smuggling. There is corruption of Prohibition agents and police, and drunkenness among these. There is persistence of drinking in night clubs. But there is less of these things than there used to be in the days of saloons.

### *The Saloon Has Gone*

What has all but disappeared is the saloon itself. This marked and sweeping change came at a time when the saloons of the licensed areas of the country were increasing with unexampled rapidity. No higher authority for this statement need be cited than the testimony of Hugh F. Fox, secretary of the United States Brewers' Association:

> About thirty years ago, suddenly came the invention of artificial refrigeration, followed by




**27. ARRESTS FOR USING PROFANE LANGUAGE**
**In New York City**

Foul language far less frequent under Prohibition.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by police departments.)

| 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|
| Number of Arrests | | | | | | | | |
| 7383 | 5504 | 4436 | 4350 | 3602 | 2360 | 2115 | 1717 | 1695 |
| Arrests per million population | | | | | | | | |
| **and per cents of the Pre-prohibition Level (1400)** | | | | | | | | |
| 1400 | 1030 | 814 | 786 | 641 | 414 | 365 | 292 | 284 |
| **100** | **74** | **58** | **56** | **46** | **30** | **26** | **21** | **20** |

> an enormous increase in immigration. The invention of artificial refrigeration practically doubled, or more, the capacity of the breweries, and the result was an enormous over-competition and tremendous increase in the number of saloons. The result of that over-competition was, as you gentlemen of course have observed, in all our large cities, a very much greater number of saloons than were needed for the reasonable convenience of the people (4, p. 83).

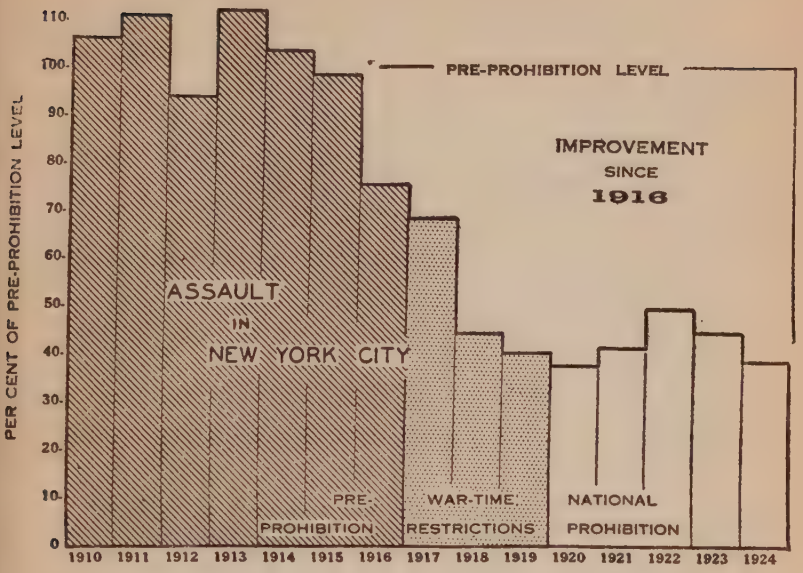
Secretary Fox, in his address to the United States Brewers' Association, added:

> Out of that over-competition and out of the lax municipal methods in some states, the combinational circumstances, the saloon evil, as we know it, arose. . . . Saloon conditions in a good many parts of the country became notoriously bad (4, p. 83).

The organizer of the Brewers' Association, Mr. Percy Andreae, declared:

> We are handicapped in our local license campaign by the indefensible character of disreputable saloons. . . . The trend of our argument is that the open saloon is much better than the secret speakeasy. Is not this a tacit admission that after all it is the lesser of two evils that we have to offer? In the long run our efforts to organize our friends and educate the liberals will go for naught, if we are merely trying to win their support of a "necessary evil" (4, p. 362).

The bootlegger, successor to the saloon-keeper, faces the enormous handicap of being a furtive out-




**28. ARRESTS FOR ASSAULT AND BATTERY**
**in New York City**

About three fifths of this evil has been eliminated.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data obtained from records of the Court of Special Sessions, New York City.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Arrests | | | | | | | | | | | | | | |
| 2566 | 2742 | 2365 | 2858 | 2701 | 2633 | 2039 | 1895 | 1266 | 1168 | 1087 | 1222 | 1481 | 1365 | 1177 |
| Arrests per million population | | | | | | | | | | | | | | |
| and per cents of the Pre-prohibition Level (511) | | | | | | | | | | | | | | |
| 538 | 566 | 478 | 570 | 529 | 508 | 386 | 354 | 232 | 211 | 193 | 214 | 256 | 231 | 197 |
| **106** | **111** | **94** | **112** | **104** | **99** | **76** | **69** | **45** | **41** | **38** | **42** | **50** | **45** | **39** |

law, vending highly questionable and poisonous beverages for which he must charge a discouragingly high price.

Difficulties of obtaining liquors, and the consequent high cost, cannot help but be a deterrent upon their consumption in quantities. Whisky at ten dollars a quart is a luxury. When it is considered that, in the whole United States, the number of Federal personal income tax returns for incomes during 1923 of $10,000 and over was only 228,267, while the total number of returns in all classes was 7,698,321 (5, p. 14), it becomes apparent that the number of persons who can afford the high-priced bootleg poison is comparatively small.

Furthermore, the bootlegger suffers hazards that are costly to him. While he is getting many times more for his products than they formerly commanded, he is many times more liable to pay a heavy fine, or to lose money from the confiscation of his stock—if not, indeed, to pay the price of jail.

The saloon is gone. That is the great incontrovertible fact, directly due to the passage of the National Prohibition law. The consequences for good of the abolition of the saloon are incalculable and grow directly from the rapid change which it has produced in lessening an artificial habit of self-poisoning that had long tended to hold Western civilization down.

## CHAPTER VIII

### Alcohol and Longevity

*Professor Pearl's Group of "Moderate Drinkers"*

Those who exaggerate the shortcomings of Prohibition or underrate its benefits consist, for the most part, of unlearned people. In general, the scientific world is in favor of total abstinence as an ideal and Prohibition as a means toward that end. But there are a few exceptions.

Raymond Pearl is Professor of Biometry and Vital Statistics, School of Hygiene and Public Health, of Johns Hopkins University. The scientific standing of that institution is unquestioned. None stands higher. I was therefore very much surprised to read in a recent study by Dr. Pearl (6, p. 252) of the mortality of groups of total abstainers and persons of different drinking habits, a blunt finding, as follows: "At every age up to 85 in the males, and to 90 in the females, *the moderate drinking group exhibits a higher mean age at death than the total abstainer group.*" The italics are Dr. Pearl's.

At first sight this finding seems of startling importance; in fact, it would be of quite priceless value to the Wets who in eight states during 1926 have

instituted, on behalf of so-called moderate drinkers, referenda looking to the return of wine and beer.

But, strangely enough, though he italicizes his remarkable findings, Dr. Pearl immediately explains that they have no significance! The differences between the two classes, he says, "cannot be regarded as significant in comparison with their probable errors." This passage, it seems to me, is the one which should have been italicized. In the end he contents himself with this:

> There appears . . . no evidence whatever for the view that the moderate consumption of alcohol as a beverage in the slightest degree diminishes the expectation of life (6, p. 253).

In other words, Dr. Pearl's meager statistics yield no conclusions on the subject. But, as we shall see, other statistics of far larger numbers do yield results.

Dr. Pearl's data do show, however, that the

> heavy drinking group shows definitely in both sexes a diminished mean age at death, as compared with either the total abstainer or the moderate and occasional groups (6, p. 253).

In short, Dr. Pearl confirms well-known conclusions as to heavy drinkers, but has no dependable conclusion as to moderate drinkers to disprove the experience of the life insurance companies on both sides of the Atlantic.

But, entirely aside from the scantiness of Dr. Pearl's data (which, as he unobtrusively admits,

destroys of itself any value in his italicized conclusion) there is another reason why his "moderate drinkers" do not die as fast as, from other evidence, we know moderate drinkers do die. What Dr. Pearl means by "moderate drinkers" and what he means by "heavy and steady drinkers" are very different from what anybody else means by those terms!

He has taken a sample of more than 2,000 men and women drawn from the working-class population of Baltimore, each at age 20, divided them into three classes in respect to drinking habits, and followed each throughout life until death. The work, which was supported by the National Tuberculosis Association, the Russell Sage Foundation, and the Commonwealth Fund, was part of an elaborate investigation into the family histories of a group of tuberculous persons, and of another group of non-tuberculous persons, both sets of histories being taken by expert field workers. As alcohol figures in the etiology of tuberculosis, the material on individual drinking habits came handy to Dr. Pearl in making this extraordinary study of the effects of alcohol on the terms of life of the abstainer and alcohol-drinking groups.

But by a statistical perversity which arouses wonder, Dr. Pearl deliberately merges the *regular* moderate drinkers with his list of heavy and regular drinkers. "If any person took an occasional glass of beer or wine," he explains, "he went into the class of 'moderate and occasional drinkers.'" On the

other hand, "the person who made it a regular habit to take wine or beer with meals, even though the amount so taken was never excessive, was placed in the next higher class, the 'heavy or steady drinkers' " (6, p. 243).

Had he used the term "moderate" in its usual interpretation the members and officers of "personal liberty" leagues, Moderation Leagues, brewers and distillers, and campaign orators in national and state political organizations would, in all probability, not have been able to quote triumphantly Dr. Pearl's italicized statement, "At every age up to 85 in the males, and to 90 in the females, *the moderate drinking group exhibits a higher mean age at death than the total-abstainer group,*" * while, of course, omitting his offsetting statement that these results, in so small a number of cases, are likely to be accidental.

Dr. Pearl's statistical method is both improper and misleading in classifying one of his major

* Dr. Pearl finds some apology needed for his remarkable classification, for he says: "I realize fully that in placing the moderate and temperate but *steady* daily drinker in the 'heavy' category that I am going contrary to common opinion and the common usage of descriptive language. But I believe that the classification here adopted is more nearly scientifically warranted in an objective study of the problem than is that based upon common opinion" (6, p. 243). Nevertheless, in his conclusion (6, p. 278), he says that the weight of evidence indicates that alcoholic consumption "which *in common parlance is called moderate* (the precise measure of this amount and frequency probably varying to some extent with each individual) *does not* sensibly shorten the mean duration of life or increase the rate of mortality, as compared with that enjoyed by total abstainers of alcohol."

groups, so that his conclusion when quoted apart from the context must distort the facts to the general comprehension.

Dr. Pearl cannot escape the chief responsibility for such distortion because (1) he italicizes the misleading conclusion; but (2) does not italicize his statement that the data are too few to make that conclusion significant; (3) he uses the term "moderate" in an unusual and, therefore, misleading sense; and (4) in the end, as by a sleight-of-hand substitution, he speaks of his (italicized but worthless) conclusion as though it applied to drinkers called moderate "in common parlance." Is this presenting the unvarnished truth?

### *Inadequacy of Pearl's Data*

A supplementary article published by Dr. Pearl in the *British Medical Journal* of May 31, 1924, apparently admits the insufficiency of the data presented in his report and attempts to meet criticism with some additional material. The group he presents, that of six thousand people divided into subgroups, classified as to alcoholic habits, and still further sub-divided into age groups, tapers down to very meager statistical data on which to base a life table. Dr. Pearl avoids stating the exact number of persons in the smaller sub-divisions. It would appear that, in some instances, there are less than a half dozen! Instead of giving the number of persons, Dr. Pearl gives the number of years lived.

People not familiar with actuarial methods might well suppose that such a table covered an enormous amount of data.

But, apart from the numerical inadequacy of the material, it is not selected in a way to make it of any value for such a study. Dr. Pearl would discredit the enormous life insurance experience dealing with several million lives and pits against it his little handful of people culled from the population by a general inquiry which failed to include any adequate analysis of the original condition of health of the members of the groups. Inasmuch as we are dealing with questions of longevity, there is a failure to take into consideration the fact that, in life insurance groups, the members are, in a general sense, homogeneous as to their general condition of health; that is, they were so at the time they were accepted. In Dr. Pearl's groups there must be a mixture of all sorts and kinds of impaired risks, and there is no telling what influence such factors have had upon the mortality of the groups studied, entirely apart from their alcoholic habits.

His taking a group of dead people and constructing a life table on them is contrary to sound life insurance principles.

Finally, he has excluded the group of deaths by accidents and adjusted his tables to exclude those who subsequently developed heavy drinking habits.

No reason can be admissible for excluding the deaths from accidents. An increased accident rate

has been found in life insurance statistics among drinkers as compared to non-drinkers, as one would naturally expect.

Of course, also, increased indulgence is just as much a pathological effect of ordinary alcoholic indulgence as cirrhosis of the liver would be. One might just as reasonably proceed to readjust the membership of these groups from year to year by excluding those who developed alcoholic excesses.

Professor Pearl has the trappings of a technical expert in presenting his data. His method is admirably calculated to bully the average physician into accepting the results he alleges without question. But his imposing super-structure of technique rests on a basis of fundamental fallacy and prejudice. Scientific method without scientific spirit and reliable and adequate data is a means of beclouding, not illuminating, the subject.

In the book edited by Dr. Starling, to which Dr. Pearl contributed, he is constantly placing the emphasis in the wrong place and using the wrong data. For example, he cites a study by the Northwestern Mutual Life Insurance Company which has been superseded by a later study which showed definitely results which were exactly contrary to his own conclusions! (72). One competent commentator, a foremost actuary, declares that he cannot imagine how "any man with even a pretense of statistical ability could produce such a nonsensical discussion."

In *How to Live,* a monthly journal of the Life Extension Institute, issue of January, 1924, appears this comment upon Professor Pearl's study in the book, "The Action of Alcohol on Man":

> That scientific men will allow their prejudices so to impair their sense of proportion in such matters is one of the reasons why science, especially medical science, is not held in better repute by the masses.

*Dr. Evans Corrects Professor Pearl*

The Record of the American Institute of Actuaries, dated June, 1925, contains the address of the president of that body, Dr. Percy H. Evans. In this address Dr. Evans quotes a statement by Dr. Pearl from the *American Mercury* of February, 1924, as follows:

> Certainly in the matter of present interest, what the insurance companies actually know about the effect of alcohol upon mortality can by no possibility be held to justify the conclusions which the public have drawn.

Dr. Evans is not so sure of this. Pointing out that in the latest and most extensively published investigation of insurance results, from the angle of the liquor habit, the reader is warned not to make too broad inferences "from data based on original applications where the subsequent histories have not been traced and periodical reclassifications made on some significant basis," Dr. Evans goes on to say:

Let me mention here the results of this investigation of mortality under 286,392 policies, issued 1885-1900, according to what the applicants, upon making application, claimed their liquor habit to be. The group covered 30,069 deaths for $86,691,000 of insurance. The "total abstainers" showed a mortality of 84.3 per cent of that expected; "moderate users," 97.2 per cent; "regular beer-drinkers," 111.3 per cent; and "regular spirit-drinkers," 128.9 per cent of the Medico-Actuarial Table of Mortality. A later count, covering the issues of 1901-08, showed the following percentages of the American Men Table for the several groups in the same order, *i.e.*, 69.6 per cent, 77.6 per cent, 91.2 per cent, and 127.3 per cent (52, p. 9).

Why do applicants for life insurance who claim to be abstainers at the time of medical examination persistently show the most favorable mortality? Of course, we do not suppose they all told the exact truth. We may also assume that many of them took to drink later on. But it seems as if one of two things must be said about this "abstainer" group: either there is some benefit to longevity in abstinence or else we must believe there was just enough, and no more, moderate tippling going on in the "abstainer" class to give the whole group the alleged benefits of moderate doses of alcohol while the other three groups, including the so-called "moderate users," were in point of fact using alcohol to excess. This whole question of "moderate use" is still unanswered. Mr. Emory McClintock said in 1905: "Statistics have never yet shown one atom of information on that subject, and it is doubtful if they ever

can. All that is possible is to argue about it" (52, p. 9).

It is quite true, of course, that life insurance statistics of the mortality among the insured, classified solely according to their condition at the time they became insured, cannot tell us what happens to moderate drinkers who *stay* moderate drinkers. Many who were moderate drinkers when first insured are certain to become immoderate drinkers later, just because the tendency of all habit-forming drugs is to influence the appetite they seem to satisfy. What the statistics do prove is that moderate drinkers are bad risks—the risk always including that of becoming immoderate drinkers.

This inclusion of those who increase their imbibing is as it should be, not only from the standpoint of life insurance but also from the standpoint of a practical man who wants to know all the risks he takes when he begins fooling with such a tricky drug.

The more academic question of what happens to moderate drinkers who always stay moderate is one for the laboratory, rather than for statistics. It is discussed in the next chapter.

### *Abstainers Live Longer Than Drinkers*

The present question—the mortality among those who start off as moderate drinkers whether or not they remain so—has been settled by statistics beyond all reasonable doubt. The classic investiga-

tion, amply confirmed by many others, is the Medico-Actuarial Investigation (71), including forty-three American life insurance companies and covering two million lives.

This showed that the death rate among policy-holders using (when examined) two glasses of beer or one glass of whisky daily was 18 per cent above the death rate among insured lives generally.*

In the experience of the United Kingdom Temperance and General Provident Institution of London, during more than half a century from 1866 to 1917, the abstainers show an actual mortality of 65 per cent of that expected, as contrasted with the mortality of 90 per cent for non-abstainers. The experience from 1883 to 1917 of the Scottish Life Assurance Company of Glasgow gives the deaths of abstainers at 52 per cent of the number expected, and of non-abstainers at 70 per cent.

These death curves of themselves suggest that alcohol is a narcotic poison, a habit-forming drug, poisonous as such. This is a foundation fact which none of the opponents of Prohibition, not even so able an apostle of moderate drinking as Dr. Pearl, have succeeded, with all their efforts, in discrediting.

*It also showed that those who had a history of past intemperance but were apparently cured at the time they took insurance suffered a mortality 50 per cent above the average while those using more than the "two glasses of beer or one glass of whisky" (yet accepted for insurance and regarded as "moderate drinkers") registered 86 per cent above!

*Alcohol as a Medicine*

Medicinally, the use of alcohol to "stimulate," in the face of all modern scientific discoveries as to its "depressing" effect, smacks at once of the pre-scientific days when the old-wife and the medicine-man ruled the destinies of the community with little else than superstition to guide them.

> When I was but a youngster in medicine in the late 'eighties, and for generations before my day,

said Dr. Howard A. Kelly of Johns Hopkins University,

> it was the unreasoning fashion of my profession to prescribe some sort of an alcoholic drink as "a tonic" in convalescence, and this evil habit to some extent still lingers as our worst inheritance from our respected fathers. The good done about equalled that of pink pills for pale people, while the harm done in implanting and fostering a deadly habit was incalculable (8, p. 26, Sept.-Nov., 1925).

Dr. Richard C. Cabot, Professor of Clinical Medicine, Harvard Medical School, says:

> Physicians are using it less and less in the treatment of disease, owing to the recognition that it is a narcotic and not a stimulant (9, Nov. 1, 1925).
>
> Alcohol is now seldom used in acute illness except as a substitute for food in cases where previous drinking has made it unwise to withdraw,

according to Dr. Eugene L. Fisk, Medical Director of the Life Extension Institute (10, p. 77).

> It seems to me that the field of usefulness of alcohol in therapeutics is extremely limited and possibly does not exist at all,

says Dr. Reid Hunt, of the U. S. Public Health Service, Washington, D. C. (9, 1-9, 1925).

> It is time alcohol was banished from the medical armament; whisky has killed thousands where it cured one,

says Dr. J. N. McCormack, Secretary of the Kentucky Board of Health and organizer of the American Medical Association (9, 11-1, 1925).

In June, 1917, the American Medical Association passed the following resolution:

> Whereas we believe that the use of alcohol is detrimental to the human economy, and its use in therapeutics as a tonic or a stimulant has no scientific value; therefore, Be it resolved that the American Medical Association is opposed to the use of alcohol as a beverage; and Be it further resolved that the use of alcohol as a therapeutic agent should be further discouraged (17, p. 22).

But during serious influenza epidemics in Ontario, in 1917 and 1918, amongst a part of the population dissatisfaction was loudly voiced that intoxicating liquor was difficult to obtain as a medicine and a preventive, according to a report in *Medical Science.* The chief officer of health for the Province,

Lieutenant-Colonel McCullough, when asked his opinion as to the advisability of increasing the facilities for securing liquor under the circumstances, made the following statement:

> The fact that by the judicious use of several remedies on our therapeutic list we can safely dispense with alcohol in the practice of medicine indicates the folly of advising it as a "camouflage" for the very serious evils that arise from its use as a beverage.

That his opinion of the therapeutic value of intoxicants was shared by the great majority of the medical profession of the Province is demonstrated by the answers of over 500 physicians in reply to a questionnaire sent out by *The Pioneer* at the time of the Ontario Referendum.

The answers were overwhelmingly against the use of alcohol as a medicine, and with such statements as follows:

> Better stimulants are in constant use.
>
> Practically do not use it at all now; other stimulants give better results.
>
> During a practice of forty years, I have found little use for alcohol in preparations.
>
> Alcohol has been almost eliminated from the best modern practice.
>
> I have practiced medicine since 1867, but have seen little or no use for alcohol and much harm.
>
> We can do without alcohol absolutely (11, p. 43).

With the passing of alcohol as a medicine little or no justification is left for the use of alcohol inside the human body, for any purpose, least of all habitually.

Old ideas die hard, and old habits die harder. So there will still be a small remnant of physicians for some time to come who cling to the old notions and there will still be a few scientific students whose views are controlled by their appetites. Such is the history of all progress. We must wait a long time for unanimity. The important point is that rational grounds exist for the rapidly growing and now almost universal belief that alcohol is always a life shortener and nothing else.

## CHAPTER IX

### Alcohol a Poison

*Slowing Down the Human Machine*

Before proceeding further with the demonstration that the cutting off of the saloon has decreased the mortality and disease due to alcohol, it will help to get our bearings if we look at the evidence that alcohol is a poison; for this is the basic fact underlying the whole problem. There are numerous investigations showing that alcohol when taken either in small or large doses slows down the human machine.

Examination of liver, kidneys, brain, and other organs of moderate drinkers show specific degenerative changes in their tissues.

Thus the formation of anti-bodies in the blood, which enable it to resist the infection of disease germs, is described by Bastedo in the experiments of Muller, Wirgin, and other investigators (12).

The prolonged administration of small doses of alcohol in men (15 cc., equal to a glass and one-third of beer) was shown by Laitines to lower the vital resistance to typhoid germs (13, pp. 445-6).

So-called "blood poisoning" is due to a strepto-

coccus germ. Rubin injected alcohol under the skin of rabbits, making them more susceptible to this germ. These rabbits also succumbed more quickly to the germ of pneumonia (14, pp. 425-44).

Fillinger and Weinburg, testing the resistance to infectious germs of the red blood cells after administering champagne to healthy human subjects and to dogs and rabbits, found the cells much weakened. Weinburg showed that 450 cc. of champagne destroyed the resistance in 20 per cent of the red cells (15).

It is the function of the white blood cells to destroy bacteria. When large doses and continuous moderate doses of alcohol were taken, Parkinson showed that this function was weakened.

While alcohol increases the rate of the pulse, it lowers the blood pressure and tends to paralyze the nerves of the heart and those that control the blood vessels. Large doses make this paralysis complete. This has been proved by a large number of investigators including Brooks, Crile, Cabot, Dennig, Hindelang, Gruenbaum, Alexandross, and others (16).

Dr. Haven Emerson, formerly Commissioner of Health of New York City and now Professor of Public Health Administration, Columbia University, states:

> Alcohol is a protoplasmic poison, like ether and chloroform, with slower but more enduring effects (18, p. 99).

Dr. Emerson reminds us also that:

> Conradi showed that there was a diminished production of anti-bodies, in cholera, in people using alcohol freely, after a dose of protective inoculation had been given (18, 4-8, 1916, p. 1122).
>
> Pampoukis and Szeckley found unfavorable results and a persistence of the virus of rabies in subjects under anti-rabic treatment if they are users of alcohol. This study extended over twenty-five years of administration of Pasteur treatment at Budapest (18, 4-8, 1916) that
>
> Reich noted unmistakable lowering of body resistance to disease, indicated by a less effective phagocytosis in typhoid in man, and less resistance of human red blood cells to pypotonic salt solutions in proportion to the use of alcohol (18, 325, 1916, p. 962); that in addition to the specific lowering of resistance to infection and lowered ability to combat infection when once acquired, alcohol plays an undoubted contributing part in the acquisition and spread of venereal diseases.
>
> Quensel found that work and alcohol do not belong together, especially when work demands wide-awakeness, attention, exactness, and endurance (18, 3-25, 1916, p. 962).

Neumann (19, p. 94) showed that:

> Alcohol alters the hemoglobin, diminishes by one-fourth the capacity of the blood corpuscles to take up oxygen, and produces congestion in the membrane and cortex of the brain. From this there results dilatation of the

blood vessels, paralysis of the muscular fibers of the walls of the vessels, oedema, and finally fatty degeneration of the irritated nerve cells.

Metchnikoff said of alcohol:

> It lowers the resistance of the white corpuscles, which are the natural defenders of the body. Although the phagocytes (which defend the organism from invasion by infectious germs) belong to the most resistant elements of our body, yet it is not safe to count on their insensibility toward poisons. It is well known that persons who indulge too freely in alcohol show far less resistance to infectious diseases than abstemious individuals (20, p. 25).

### *Alcohol a Depressant, Not a Stimulant*

In spite of common observations as to its blurring effect on thought and action, the erroneous idea that alcohol is a general mental and physical stimulant is widespread, and plenty of false propaganda keeps it alive.

As one of the indications of this supposed stimulation, we have the phenomenon of increased heart action. This increase was a matter of special investigation by Dodge and Benedict of the Carnegie Institution of Washington. The increased heart action was found by them to be due to the fact that "after alcohol the normal inhibitor tone was less completely or less rapidly established." They stated that the evidence seemed to indicate that the relative acceleration effected by alcohol was due to a

"lessened responsiveness of the cardio-inhibitory mechanism" (21, p. 236). That is, it removes the brakes. It does not stimulate but lets the heart mechanism run without control, with a fast but weakened heartbeat.

The possibility of alcohol depression being a conservative or recuperative process was also investigated by Dodge and Benedict, and it was found:

> Even if it should prove true that the local action of alcohol on the circulation centers disturbed the normal correlation between metabolism and the heart-rate, the fact of increased heart-rate for a given kind and amount of mental work absolutely prohibits us from regarding the neuromuscular depression incident to alcohol as a conservative process like sleep (21, p. 256).

The paradox of depression from alcohol appearing as stimulation, the creation of a delusion, is illustrated by the experience of two bicycle riders on a tandem making a long run. Tired and thirsty, they stopped for some beer. After taking the "stimulant" to "refresh" themselves, they resumed their journey, but soon found their machine was going harder. Each thought, at first, that the other was shirking. Then they thought something had happened to the bearings, and stopped again, to make a careful investigation. To their surprise, they found the tandem still in perfect condition, whereupon it dawned upon them that the "sand in the gearings"

was the "depressant" they had drunk acting as a handicap.

A period of short stimulation following small doses of alcohol has been reported in a number of small foreign investigations (21, p. 250), and was therefore a matter of particular investigation by Dodge and Benedict in their experiments. In all of their tests, the only ones that showed this short period of slight stimulation from alcohol were the ones on eye-reaction; they alone consistently showed improvement after the small doses of alcohol. "Whatever may be the effect in isolated tissue," the authors state:

> our data give clear and consistent indications that the apparent alcoholic depression of neuromuscular processes is a genuine phenomenon that cannot be reduced to the excitation of inhibitory processes; but that, conversely, whenever apparent excitation occurs as a result of alcohol, it is either demonstrably (pulse-rate, reflexes, memory and threshold) or probably (eye-reaction) due to a relatively over-balancing depression of the controlling and inhibitory processes (21, p. 253).

*Beer and Wine as Destroyers of Efficiency*

The extensive beer and wine drinking in Europe has resulted in many investigations of the mental and physical effect of alcohol in these beverages. Various writers have assembled and reviewed the data, which are summarized as follows:

The influence of alcohol on typesetters working at their trade in a printing office was studied in 1896 by Aschaffenburg. The alcohol he used was in the form of Greek wine. The experiment extended over four days. The first and third days were observed as normal days, no alcohol being given. On the second and fourth days each worker received 35 grams (a little more than one ounce) of alcohol, the equivalent of 3 glasses of 4 per cent beer.

A comparison of the results of work on normal and on alcoholic days showed, in the case of one of the workers, no difference. But the remaining three showed greater or less retardation of work, amounting in the most pronounced case to almost 14 per cent. As typesetting is paid for by measure, such a worker would actually earn 10 per cent less on days when he consumed even this small quantity of alcohol (22, pp. 19-20).

Professor Aschaffenburg stated that the so-called moderate drinker, who consumes his bottle of wine as a matter of course each day with his dinner—and who doubtless would declare that he is never under the influence of liquor—is in reality never actually sober from one week's end to another; that neither in bodily nor in mental activity is he ever up to what should be his normal level (23).

The famous experiments made by Professor Emil Kraepelin, formerly of Heidelberg and later of Munich, are variously reported as follows:

Tests with an amount of alcohol equal to that contained in two liters of beer or a half to a whole bottle of wine, showed that this amount of alcohol had a progressively deleterious effect when taken for a number of days (23, p. 11).

Two or three glasses of 4 per cent beer, or half a pint of 10 per cent wine, were found to impair the perception and attention needed by lookouts, signal men, sentries, engineers, automobile drivers, machinists, and others in military and civil life (24, p. 6).

From 30 to 45 grams of absolute ethyl alcohol, the equivalent of 2 to 4 glasses of beer, more or less checked and paralyzed all the mental functions. The stupor, which resembled physical fatigue in its effect, increased with the dose of alcohol absorbed, lasting for small quantities 40 to 50 minutes, and for larger quantities 1 or 2 hours. In the smaller doses the paralysis of the mental functions was preceded by a period of activity or acceleration which lasted 20 to 30 minutes at most (19, p. 94).

After giving 80 grams of alcohol per day, equivalent to 8 glasses of beer, to an individual for 12 successive days, the working capacity of that individual's mind was lessened by from 25 to 40 per cent (22, p. 19).

Small doses of alcohol facilitated motor discharge at first, but subsequently depressed it. Large doses depressed both intellectual and motor processes from the first. The nature and amount of the effects depended on the characteristics of the individual, and on his condition (21, p. 242).

Professor Kraepelin stated:

> In the production of alcoholism in Germany, beer undoubtedly plays the chief rôle. It must be conceded that beer is capable of producing typical delirium tremens (18, p. 78).

Alcohol tends to diminish the ability to memorize figures, as Dr. A. Smith of the University of Heidelberg shows by elaborate tables (56).

In an attempt to memorize poetry, Professor Vogt of the University of Christiania found that on days when he drank one and one-half to three glasses of beer it took him 18 per cent longer to learn the lines. He reviewed the work six months later and found that the lines he had learned on alcohol days required more time for re-learning, that they were not so sharp and clear in his impression, and therefore not so easily recalled (23).

It was the quantities of alcohol in beer and wine (the equivalent of 2 to 2 1/3 glasses of beer, or of 10 ounces of wine) that Durig and Schnyder found diminished muscle-working ability in lifting and mountain climbing, and increased fatigue (24, p. 7); that "moderate doses of alcohol decreased efficiency 20 per cent" (25). It was the quantities of alcohol in beer and wine (the equivalent of 2½ glasses of beer or 1 pint of wine) that Lieutenant Boy of the Swedish Army found reduced endurance in shooting 22½ per cent (24, pp. 6-7).

I know little of whisky and wine-drinkers, says Professor Mobius of Leipsic.

With us, it is beer that ruins the people (18, p. 76).

Professor Gustav von Bunge says:

No other drink (referring to beer) is so insidious. It has been in Germany worse than the whisky pest because more apt to lead to immoderate drinking (18).

Dr. Johannes Leonhart, a distinguished scientist, writes (58):

The question concerning alcohol is not whether Smith or Jones believes that he can take two or three glasses a day without harm, but how is it possible to diminish the immense amount of injury from it that the whole German people suffer,

Professor Von Strumpell stated in a lecture at Nuremberg:

Nothing is more erroneous from the physician's standpoint than to think of diminishing the destructive effects of alcoholism by substituting beer for other alcoholic drinks, or that the victims of drink are found only in those countries where whisky helps the people of a low grade of culture to forget their poverty and misery (57).

Von Strumpell also says:

Although the percentage of alcohol (beer 2 to 4 per cent) is not especially high, yet this low percentage is counteracted by the great quantity drunk; 100 cubic centimeters of beer con-

> tain only 3 grams pure alcohol, but a liter contains 30 grams. A moderate beer drinker, who daily drinks his five liters, thus gets every day 150 grams of absolute alcohol into his body.

*Evidence of Benedict, Dodge, and Miles*

Alcohol not only works to slow down the human machine, but at the same time it deludes its victims with the persistent belief that they are being sped up and made more efficient. This strengthens the grip of the alcoholic habit.

The influence of alcohol on typewriting efficiency and simpler related acts was tested by Dr. Walter R. Miles of the Carnegie Institution of Washington. All of the typists taking part in the experiment were asked to give their impressions concerning their own work. Typical samples of their replies are as follows: "I think I worked faster as a result of the medicine." "I think it (the alcoholic drink) helped me to make speed as usual. It helped me to get down to business."

A study of the actual results of their work did not bear our their feelings. The experimenter, Dr. Miles, found that

> without exception all of the measurements which have been used in these experiments with alcohol on typewriting and simpler related processes show a positive effect of the alcohol, and in each case this is interpreted to be in the direction of depression or decreased efficiency (26).

A solution of 14 to 22 per cent (and containing 21 to 42 grams) of alcohol (26, p. 270), averaging the first two hours after ingestion, decreased the strokes per second 2.6 per cent; increased the errors 39.3 per cent, and increased the illegibility 55 per cent.

Repetition of the alcoholic dose was found to make the toxic influence more prominent. This, the author believes, suggests that

> the alcohol effect usually found in the laboratory is probably not so large as exists outside the laboratory (26, p. 110).

An investigation by Dodge and Benedict of the psychological effect of alcohol in 30 cc. doses, the equivalent of 3 glasses of beer, and 45 cc. doses (21, p. 30), the equivalent of 4 glasses of beer, showed the most marked effect in the knee-jerk, where alcohol increased the average latent time 10 per cent, and decreased the average extent of muscle-thickening 46 per cent (21, p. 243).

This extreme effect made it impracticable to measure the knee-jerk with the larger dose.

The second largest effect was on the eye-wink, which showed an average increased latency of 7 per cent, and a decreased extent of movement of 19 per cent.

The third largest change was produced in the sensory threshold for electrical stimulation. The threshold was raised an average of 14 per cent.

Fourth in the extent of change was the effect on coördinated movements, as seen in the speed of the eye-movements, which averaged 11 per cent slower under alcohol.

A close fifth was the speed of reciprocal stimulation of nerves in the finger, which was decreased by an average of 9 per cent.

Sixth and seventh in the list were the changes in the reaction time of the eye and speech organs, and increase in the latent time of 5 and 3 per cent respectively.

Finally, the authors state, "there was practically no change at all in the memory." Their memory experiments did not, however, include the larger dose of alcohol. It was considered by the authors a noteworthy fact that 5 of the 6 processes in which there were comparable data showed a greater average effect from the larger dose (21, p. 245).

While different subjects vary widely in the effect of alcohol on the memory process as measured by our technique, Dodge and Benedict say:

> The total results show no predominant tendency of alcohol on the main group of subjects. As far as our measurements go, rote memory (primary retention) is neither better nor worse after small doses of alcohol.
>
> It is interesting to note that the most pronounced improvement of memory after alcohol was found with Subject VI, who frequently differed notably from the group in other experiments. Under ordinary circumstances, he was

> the most easily confused of the group. He was particularly liable to become disturbed and to get "rattled," as he put it. The most pronounced decrease of capacity after alcohol was shown by Subject VII, who depended least on simple perseveration and most on quickness in forming artificial associations to memorize series. It is not impossible that the same depression of the capacity for making new associations that decreased the effectiveness of Subject VII may have relieved Subject VI from intercurrent mental disturbances (21, p. 133).

### *Other Evidence*

Frankfurther found typewriting errors enormously increased by alcohol, while the speed was occasionally increased. He described his experience by saying:

> I had the feeling that the fingers ran faster than I could find the right spot for the stroke. I often struck keys against my will, so that I must voluntarily inhibit the movements in order not to make a mistake at every letter (21, p. 252).

Experiments in typewriting were also made by Rivers (28, pp. 96-98) with doses of 20 cc. and 40 cc. of alcohol, equivalent to the alcohol in two to four glasses of beer. The noticed errors were found to be fairly constant, and gave no indication of alcohol effect. The unnoticed and uncorrected errors showed an unmistakable tendency to increase with the rapidity of the work, but, taking this in-

creased rapidity into account, they showed no indication of alcohol effect.

Of 588 Viennese school children investigated by E. Bayer (59, quoted in 23, p. 11), a school director of Vienna, as to their habits with respect to alcohol, it was found that only 134 were "abstainers." With a scholarship classification of "good," "fair," and "poor" 42 per cent of this group of "abstainers" were classified as "good," 49 per cent of them as "fair," and 9 per cent as "poor."

In a group of 164 who "drank occasionally," only 34 per cent were classified as "good," whereas 57 per cent were classified as "fair," and 9 per cent as "poor." In a group of 219 who "drank once a day," 28 per cent were classified as "good," 58 per cent as "fair," and 14 per cent as "poor." In a group of 71 who "drank twice a day," 25 per cent were classified as "good," 58 per cent as "fair," and 18 per cent as "poor." The investigation showed, therefore, that good marks fell off and poor marks increased as the wine or beer drinking increased (23, pp. 9-12).

About four thousand children in Brescia, Italy, were studied by Schiavi (60, quoted in 23, p. 12) as to their use of alcohol and its relation to scholarship. More than two thousand of the children "drank wine daily." Of these the percentage classified as "poor" in scholarship was ten times as great as in a group of 462 "abstainers." Only a little more than a quarter of the drinking group stood in the

"good" class, whereas nearly half of the "abstainers" were so classified (23, p. 12).

### *Alcohol as a Habit Former*

The treachery of alcohol in its habit-forming action, its development of an "imperious need," is also described by Dr. Héricourt, as follows:

> Alcoholism is not one invariable form of intoxication; it comprises at least three intoxications, which present certain slight points of difference: The intoxication by alcohol properly so-called, or ethylism; intoxication by wine, or oenolism; and intoxication by beverages containing various essences, of which a type is absinthe.
>
> The second period of ethylism is characterized by an imperious need of alcohol. It is then that the French proverb, "He who has drunk will drink," becomes strictly accurate. In the third period the alcoholic is characterized by his general malnutrition and sottish degradation (17).

Habit-formation is thus presented in an extreme aspect, but a lesser degree of this "imperious need" is characteristic of almost every aspect of alcoholic action. Dr. Alexander Lambert, one of our leading authorities on drug addiction, says of alcohol:

> The habit-forming qualities are purely psychologic. Men who take alcohol habitually take it for the purpose of relieving the strains of life, if in only a minor degree, when weary

or tired, or emotionally on edge. It is taken habitually to dodge the realities of existence.

On the habit-forming tendencies of alcohol, Dr. Eugene L. Fisk states:

> The very clamor that is being raised and the widespread patronage of the bootlegger are sufficient proof that the use of alcohol has a grip as a habit on a considerable number of those who have used it in the past. Men will not pay the high prices and take the risk of indulgence unless they are impelled by what we may justly interpret technically as the expression of an established habit that is difficult to break. The vogue of the Keeley Cure at one time, and the very existence of cures for alcohol, show that numberless people have admitted themselves to be in the grip of the alcohol habit and have had to seek medical relief to overcome it.

Dr. Haven Emerson says of alcoholic habit-formation:

> If there is a criterion that we could apply to distinguish habit-forming from non-habit-forming drugs, I should think it was the strength of the longing or desire to repeat the dose and to continue its use regardless of any proved benefit or in the face of obvious evidence of damage.

From these authoritative statements, it would seem that "the appetite for drink," which Senator William Cabell Bruce, in opposing Prohibition, claims has been "one of the primal impulses of the great mass of human beings ever since Jesus at Cana

manifested forth His glory" (1, p. 11), is on the contrary an unfortunate drug craving that has been kept alive from generation to generation by the continuance of the sale of the kind of stronger alcoholic drink that Senator Bruce now believes should be made legal.

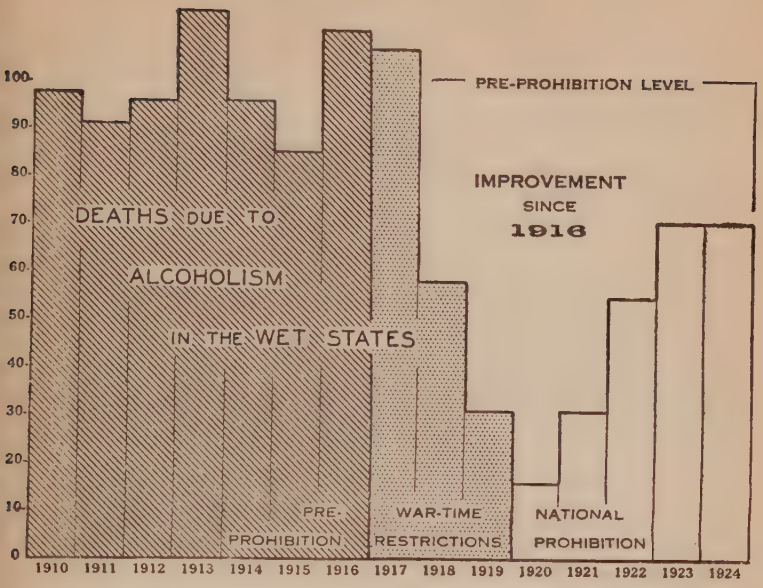
We may conclude that alcohol has no place, by nature, in our human physiology. No animal other than man uses it habitually, even "in moderation," so called. And man himself came to use it as a late perversion of civilization, just as he came to use other habit-forming drugs, such as opium in China or hasheesh in Turkey. The craving for all such drugs is not natural but acquired, although, when once acquired, it is difficult to shake off. The "moderate" user naturally resents being told the truth about his indulgence. He "rationalizes" his conduct and finds all sorts of "reasons" to justify himself. Such effort at self-justification explains the major part of the ingenious arguments and statistics to prove that "moderate" drinking is harmless.

For the old idea of temperance as an ideal has fled as a mist before the light of science. The physiological or biological ideal to-day is not temperance, but total abstinence. So-called moderate drinking merely means moderate intoxication. A mild drinker denies that he is drunk, if he does not stagger. But a man who has drunk one glass of beer is one-glass-of-beer drunk.

Prohibition rests on a solid foundation, therefore,

in that it has prohibited an insidious habit-forming enemy from implanting in the breast of future millions a drug craving.

Whatever degree of power alcohol still possesses is kept alive chiefly by the inertia of old traditions; by the assumption that so prevalent a practice must have virtues; by the fear of individuals to break away from custom, and by the well-known difficulty of emancipating one's self from any drug habit.




**29. DEATHS DUE TO ACUTE AND CHRONIC ALCOHOLISM**
**in states formerly wet**

in half. Reaction probably due, in part, to increased toxicity of bootleg r.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Deaths per million population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (55)** | | | | | | | | | | | | | | |
| 54 | 50 | 53 | 63 | 53 | 47 | 61 | 59 | 32 | 17 | 9 | 17 | 30 | 39 | 39 |
| **98** | **91** | **96** | **115** | **96** | **85** | **111** | **107** | **58** | **31** | **16** | **31** | **55** | **71** | **71** |

## CHAPTER X

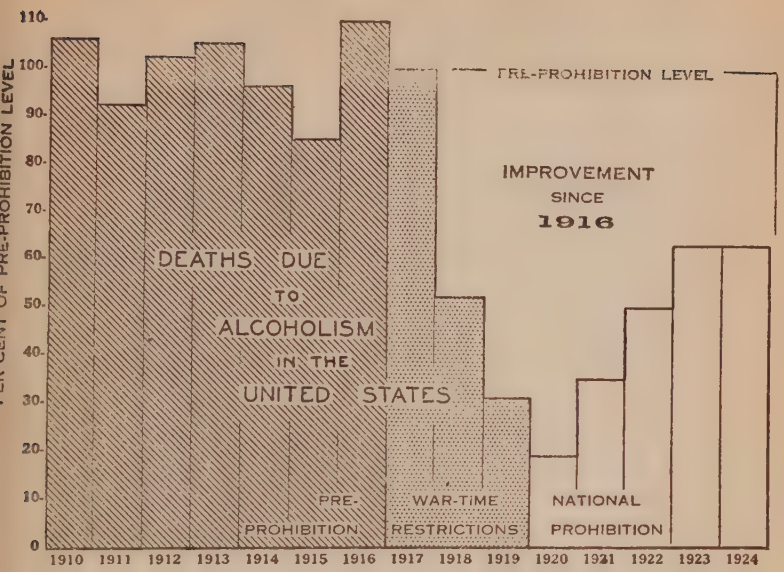
### The Hygienic Good

*Lord D'Abernon's Data*

What has been said of alcohol as a narcotic poison, as a habit-forming drug, and as a deceptive pseudo-stimulant, bears out from scientific testimony the records of excess deaths from alcohol which have been charted from the life insurance tables. Alcoholism not only increases mortality, but accidents, and disease, both physical and mental. Consequently, effective Prohibition may be expected to decrease general mortality, accidents and disease, and to increase efficiency.

As we have seen, many men whose mortality was recorded in the insurance mortality tables have called themselves, and they would have been called, moderate drinkers. They were in no sense habitual drunkards, and yet the facts show that the group representing the most moderate drinkers recorded a mortality of 18 per cent above the average.

The charts that have already indicated decreased arrests for drunkenness throughout the United States, in the wet areas and in the dry areas under National Prohibition, and even in the wet strong-




**30. DEATHS DUE TO ACUTE AND CHRONIC ALCOHOLISM**
**in the total U. S. (registration area)**

in half. Reaction probably due, in part, to increased toxicity of bootleg ior.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

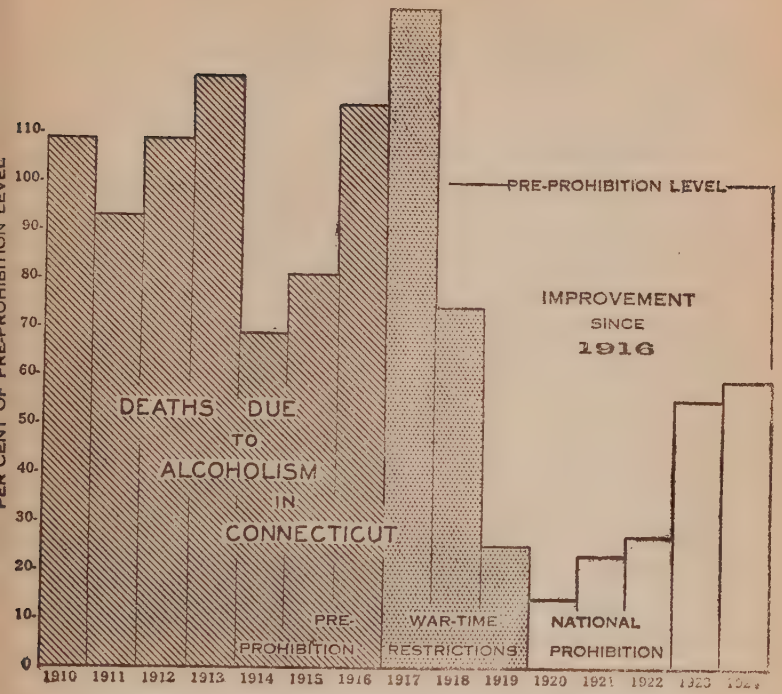
| | 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | 2626 | 2625 | 2921 | 3476 | 3021 | 2714 | 3814 | 3601 | 2145 | 1337 | 873 | 1573 | 2444 | 3112 | 3098 |
| Deaths per million population | 55 | 48 | 53 | 60 | 50 | 44 | 57 | 52 | 27 | 16 | 10 | 18 | 26 | 33 | 33 |
| **and per cents of the Pre-prohibition Level (52)** | **106** | **92** | **102** | **115** | **96** | **85** | **110** | **100** | **52** | **31** | **19** | **35** | **50** | **63** | **63** |

holds of the great cities like New York, have already proved that Prohibition has markedly reduced this habit of self-poisoning among the people. The charts that are to follow prove the same thing in terms of reduced death and disease.

There is reason to believe that the tendency to excessive drinking is more characteristic of certain types of people than of others.* But this fact does not preclude environmental control of alcoholism. Physicians of the type of Dr. Charles L. Dana and Dr. Lewellys F. Barker, members of the Moderation League, before the war earnestly stressed the temperamental and personal side of alcoholism, saying that individuals of ill-balanced minds could hardly be controlled by any restrictions of the liquor traffic, as such. Instead, they felt that these must be treated individually.

But now the records of reduced disease and death from alcoholism, gathered in the registration area of the United States, are available for the first six years of National Prohibition. And the experience of the British Central Board of Control of the Liquor Traffic during the period of limited Prohibition in the war years of 1914-18, affords convincing data. A typical instance of this experience is shown in

* This fact has been used as a eugenic argument against Prohibition. The work of Karl Pearson, Dr. Stockard, and Dr. Pearl indicates that alcohol is a selective agent for killing off the unfit, while leaving the fit relatively unharmed. The idea is especially applied to alcoholized parents affecting the germ plasm. This is the old argument, in a new and improved form, that alcohol is a good fool-killer.




**81. DEATHS DUE TO ACUTE AND CHRONIC ALCOHOLISM in Connecticut**

in half. Reaction probably due, in part, to increased toxicity of bootleg or.

**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

| | 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | 86 | 76 | 91 | 104 | 60 | 72 | 105 | 126 | 68 | 25 | 14 | 23 | 28 | 57 | 63 |
| Deaths per million population | 77 | 66 | 77 | 86 | 49 | 57 | 82 | 96 | 52 | 18 | 10 | 16 | 19 | 39 | 42 |
| **and per cents of the Pre-prohibition Level (71)** | **109** | **93** | **109** | **122** | **69** | **81** | **116** | **136** | **74** | **25** | **14** | **23** | **27** | **55** | **59** |

the paper of Lord D'Abernon, President of the British Board of Control, which appeared in the Journal of the Royal Society of Arts, November 29, 1918, under the title, "Rival Theories of the Causes of Drunkenness."

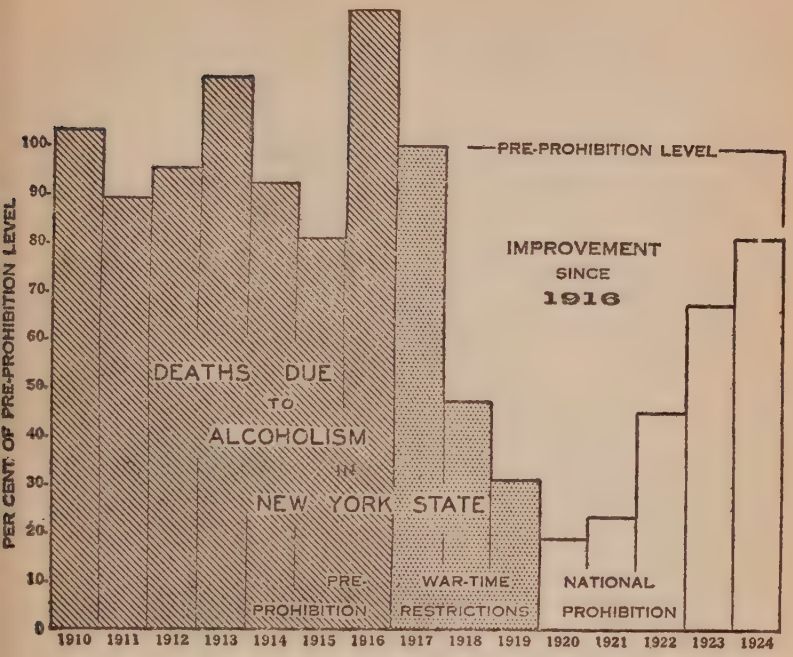
Incidentally, Lord D'Abernon calls attention to the terrible death toll among those engaged in the liquor traffic, especially its dispensers at retail, comparing it to the rate prevailing among the fever swamps of the tropics, so that no insurance office would accept such risks save at special rates.

*Decreased Female Deaths from Alcoholism*

In further support of the efficacy of environmental control, Lord D'Abernon cited the statistics illustrated in the chart of deaths of women from alcoholism in England and Wales during 1913 to 1917, inclusive. He confined the figures to women because it had been held:

> that inebriety in women is peculiarly intractable, and the persistent recidivism of the female drunkard, is, in fact, one of the stock arguments in support of the temperamental theory.

During the period of war control of the liquor traffic in England and Wales, drunkenness in women, as compared with the pre-war year 1913, fell 60.6 per cent; their mortality from alcoholism and from cirrhosis of the liver decreased by 69.1 per cent and 51.5 per cent, respectively; female cases of delirium tremens went down by 79 per cent;




**32. DEATHS DUE TO ACUTE AND CHRONIC ALCOHOLISM**
**in New York**

ut about one half. Reaction probably due, in part, to repeal of the Mullen-
age law.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | | | | | | | | | | | | | | |
| 599 | 532 | 575 | 698 | 572 | 508 | 811 | 640 | 304 | 210 | 123 | 164 | 309 | 409 | 569 |
| Deaths per million population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (64.3)** | | | | | | | | | | | | | | |
| 66 | 57 | 61 | 73 | 59 | 52 | 82 | 64 | 30 | 20 | 12 | 15 | 29 | 43 | 52 |
| **103** | **89** | **95** | **114** | **92** | **81** | **128** | **100** | **47** | **31** | **19** | **23** | **45** | **67** | **81** |

and deaths from suffocation in infancy—notoriously a result of maternal intemperance—diminished by 42.6 per cent.*

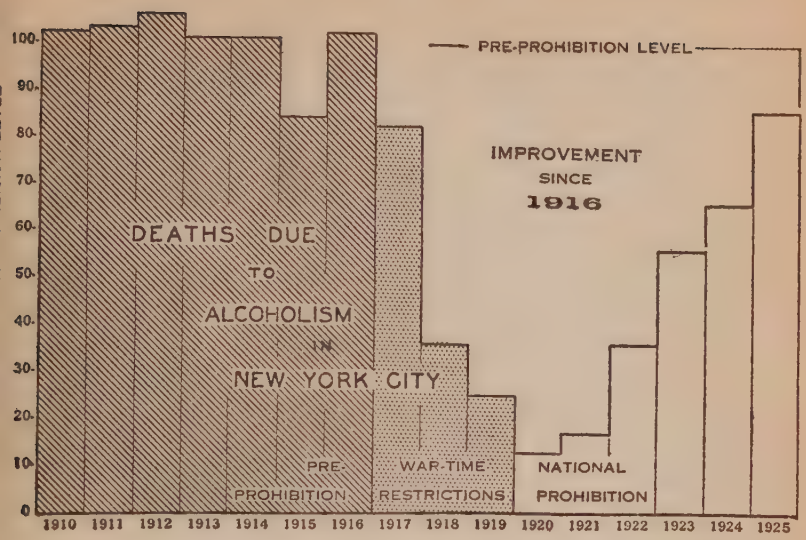
These notable reductions in five years in cases of females were not of casual drinkers but of the "steadily continued excess of the confirmed drunkard." Lord D'Abernon concludes that it supports the view that men and women become drunk chiefly "in the absence of reasonable facilities for avoiding it and reasonable guidance as to how it can be avoided."

### *Lower Death Rates in United States*

The declining death rates computed for the entire registration area of the United States; for the group of former wet states; for Connecticut, which rejected the Eighteenth Amendment; for New York State, which repealed in 1923 its own enforcement act in coöperation with the Federal government, and for New York City—accounted generally as the wettest and wickedest of cities—parallel the British experience of war-time restriction. These at least suggest that the sneer, "You can't make people sober by law," is without adequate foundation in fact.

Yet cavillers will point to the increase of alcoholic deaths or arrests in the second, third, and fourth

* The National Bureau of Child Welfare, U.S., states that suffocation in infancy from this cause ("overlaying" the child by the mother, while drunk) is unknown in the United States—which affords another indication of the environmental character of the drink habit among women.




**33. DEATHS DUE TO ACUTE AND CHRONIC ALCOHOLISM**
**In New York City**

about half. Reaction probably due, in part, to increased toxicity of bootleg
or.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data obtained from records of the Board of Health, N. Y. C.)

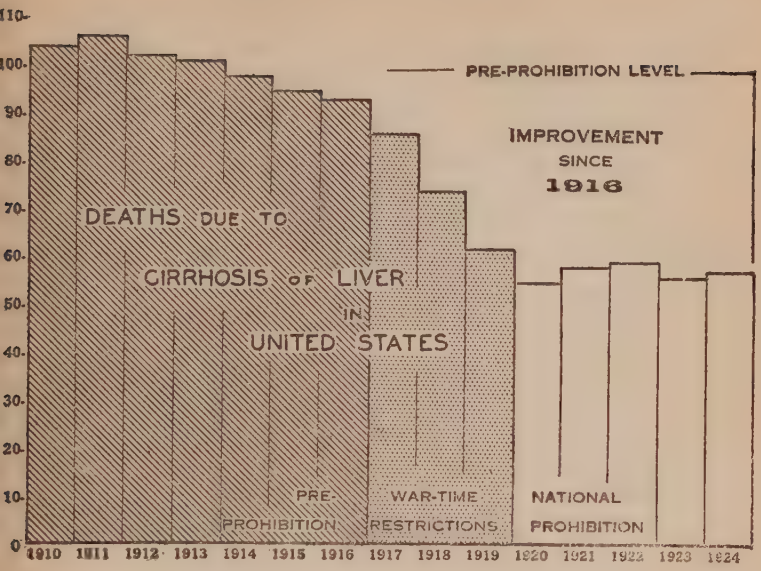
| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | | | | | | | | | | | | | | | |
| 621 | 636 | 570 | 646 | 660 | 562 | 687 | 560 | 252 | 176 | 98 | 119 | 274 | 429 | 513 | 682 |
| Deaths per million population | | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (127)** | | | | | | | | | | | | | | | |
| 130 | 131 | 135 | 128 | 128 | 106 | 129 | 104 | 46 | 32 | 17 | 21 | 46 | 71 | 84 | 109 |
| **102** | **103** | **106** | **101** | **101** | **84** | **102** | **82** | **36** | **25** | **13** | **17** | **36** | **56** | **66** | **86** |

years of Prohibition. True, these betrayed an intolerable situation which enforcement, during 1924 and 1925, has progressively remedied. It was to be expected that, after the first year of the outlawry of the liquor traffic, the illicit dealers would become skilled in circumventing the law. The improved measures of Federal and local enforcement already recited account for the bettered records, under National Prohibition, as to criminality, disease, and death. But it should be remembered that the curves of disease and death lag from one to two years behind the reduced records of arrests, which form the more sensitive index of enforcement.

The mortality of alcohol users in general is greater than that of abstainers at practically every age of life. Few of these people die of actual alcoholism, but alcohol tends to increase the death rate from every cause by lowering the resistance of the body, as Metchnikoff said.

The death rate from all causes in the United States declined over 10 per cent following Prohibition. The death rate among industrial insurance policyholders, especially, has declined. Of course, it must be recognized that many other causes besides Prohibition have contributed to these results. But the drop is sufficient, even were there no other proof, to suggest that reduced alcohol played an important part.

The Census figures are not up to date. Some of them end in 1923. The figures for New York City




**34. DEATHS DUE TO CIRRHOSIS OF THE LIVER**
**in the total U. S. (registration area)**

in half. Improvement well sustained.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computed from data from the U. S. Bureau of the Census.)

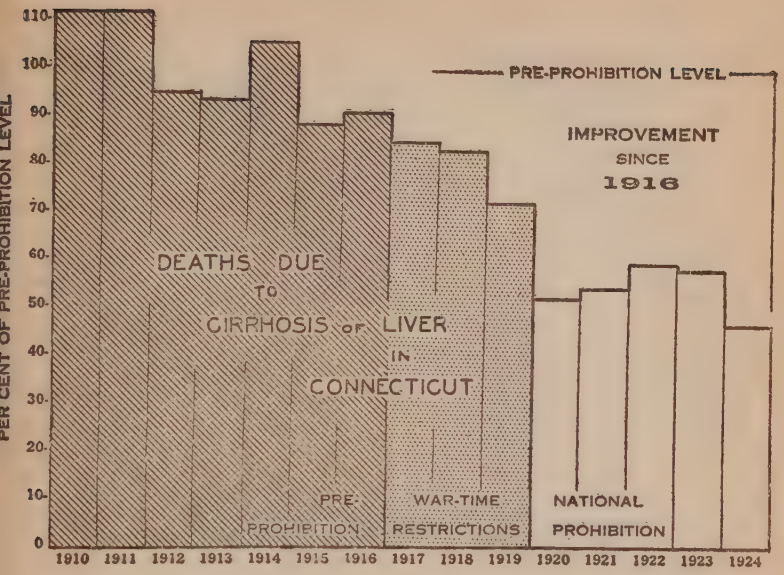
| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | | | | | | | | | | | | | | |
| 6352 | 7392 | 7204 | 7537 | 7645 | 7521 | 7886 | 7641 | 7548 | 6564 | 6102 | 6453 | 9854 | 6916 | 7220) |
| Deaths per million population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (128)** | | | | | | | | | | | | | | |
| 133 | 136 | 131 | 129 | 125 | 122 | 119 | 110 | 95 | 79 | 71 | 74 | 75 | 72 | 73 |
| **104** | **106** | **102** | **101** | **98** | **95** | **93** | **86** | **74** | **62** | **55** | **58** | **59** | **56** | **57** |

cover 1924, and agree usually in their movements with the Census figures, so far as these extend. Even in New York City the official death rates of the Board of Health show that the highest death rate since Prohibition is lower by nearly 10 per cent than the lowest death rate prior to Prohibition. The death rate in 1924 was 11.6 per 1,000. The average, for the five years since Prohibition, is 11.8, as against 15.0 for the five years prior to Prohibition, or more than 25 per cent better. Figures of the Metropolitan Life Insurance Company show a death rate of 8.5 per 1,000 among industrial policyholders in 1925. This is the lowest rate on record for the company (47).

*Fewer Deaths from Alcoholism at Bellevue*

At the hearings before the Senate Judiciary Subcommittee in Washington in 1926, Dr. Haven Emerson presented charts showing the trend of mortality in diseases directly or indirectly related to the use of alcohol. Deaths from cirrhosis of the liver treated by Bellevue and Allied Hospitals, which handle most alcohol cases in New York City, went to a low point in 1917, the first year of the war, descended still lower in 1921, but then rose to 1925. In 1911 the rate stood at 21.7 per 100,000; in 1918 it went down to 8.0; in 1921, to 6.5, and from 1922 to 1925 it rose again to 6.7 per 100,000 (1, p. 785).

Chronic nephritis and Bright's disease, the totals of which are largely affected by alcoholism,




**35. DEATHS DUE TO CIRRHOSIS OF THE LIVER**
**in Connecticut**

t in half. Improvement well sustained.

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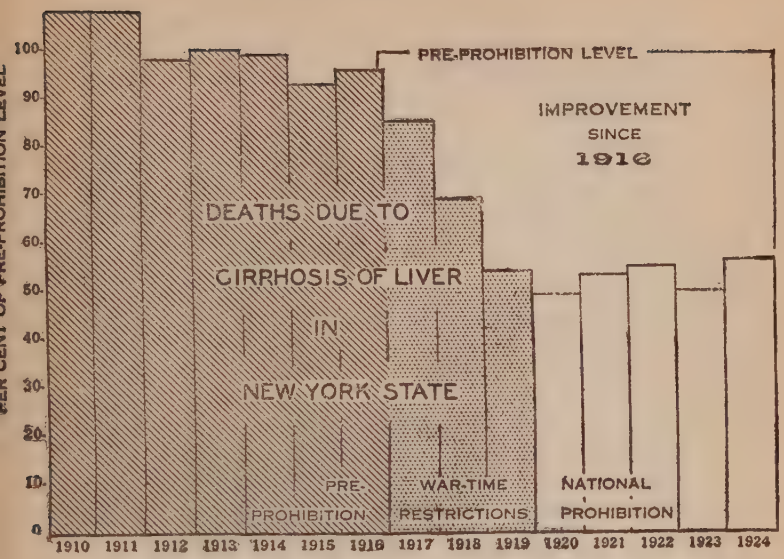
**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

| 1910 | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | | | | | | | | | | | | | | |
| 161 | 165 | 143 | 145 | 168 | 144 | 150 | 144 | 143 | 127 | 94 | 99 | 110 | 110 | 88 |
| Deaths per million population | | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (129)** | | | | | | | | | | | | | | |
| 144 | 144 | 122 | 121 | 137 | 115 | 117 | 110 | 107 | 93 | 67 | 70 | 76 | 75 | 59 |
| **112** | **112** | **95** | **94** | **106** | **89** | **91** | **85** | **83** | **72** | **52** | **54** | **59** | **58** | **46** |

decreased in these great hospitals during the period when the world was experiencing the most serious attack of influenza on record; receding from 110 per 100,000 in 1917 to 76 in 1921, and then to 66.5 per 100,000 in the year 1925. A third chart presented by Dr. Emerson recorded a like decrease in the death rate from tuberculosis treated in Bellevue. This, he said, reflected an economic change for the better; he thought that the addition of from 5 to 10 per cent in personal incomes due to going without alcohol was reflected in improved housing, clothing and food, thus fortifying the wage-earners' families against this disease. A fourth chart of deaths from alcoholism at Bellevue Hospital recorded decreases from 327.5 in 1915-16 to 26.5 in 1921-2, when the record rose again to 250 in 1925. Dr. Emerson testified that this indicated what might be expected, and what actually occurred, in the saving of lives when alcohol was comparatively inaccessible, and that, with the increasing inefficiency of enforcement in New York, the death figures responded by increase. The testimony of charwomen, truck drivers, and others admitted to the hospital suffering from acute alcoholism, first to the effect that liquor was hard to get and after the repeal of the Mullen-Gage law that it became much easier to get, revealed the consequences of "lifting the lid." Dr. Emerson said:

> My profession is the study of the causes of preventable diseases and how they may be pre-




**36. DEATHS DUE TO CIRRHOSIS OF THE LIVER in New York State**

t in half. Improvement well sustaine l.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the United States Bureau of the Census.)

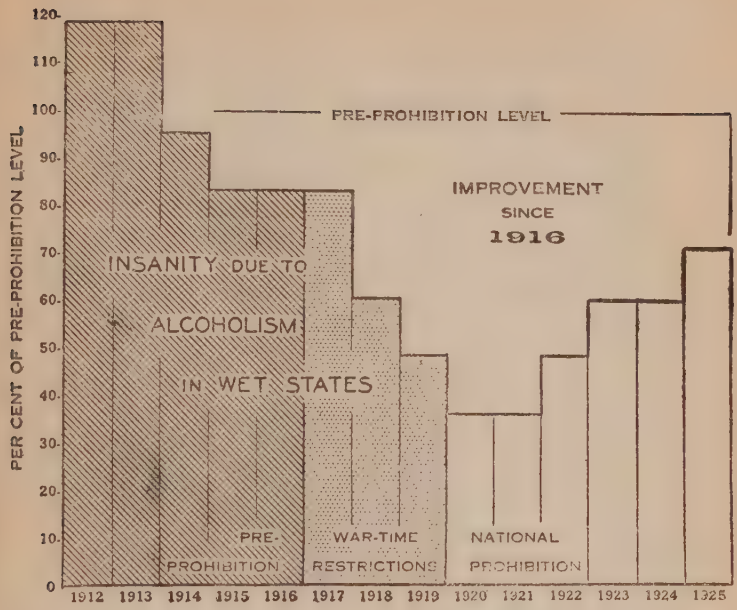
| | **1910** | **1911** | **1912** | **1913** | **1914** | **1915** | **1916** | **1917** | **1918** | **1919** | **1920** | **1921** | **1922** | **1923** | **1924** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Deaths | 1661 | 1689 | 1559 | 1608 | 1623 | 1534 | 1610 | 1449 | 1180 | 935 | 872 | 956 | 997 | 912 | 1028 |
| Deaths per million population | 182 | 182 | 166 | 169 | 168 | 157 | 162 | 144 | 116 | 91 | 83 | 90 | 93 | 84 | 94 |
| **and per cents of the Pre-prohibition Level (169)** | **108** | **108** | **98** | **100** | **99** | **93** | **96** | **85** | **69** | **54** | **49** | **53** | **55** | **50** | **56** |

vented, and this was the first practical evidence we have ever had of the astounding effect of making alcohol relatively inaccessible, on the mortality of the country.

### *Death Rates of Liquor Dealers*

Eugene L. Fisk, M.D., publishes in his book on "Alcohol, Its Relation to Human Efficiency and Longevity," (10, p. 33) the mortality figures of 43 life insurance companies in occupations where alcohol figured as a hazard, with this comment:

> These figures indicate that saloon-keepers have a death rate higher than that of underground mine foremen; that brewery foremen, malsters, and the like have a death rate higher than electric linesmen, glassworkers, city firemen (laddermen, pipemen, hosemen), metal grinders or hot-iron workers, although there is nothing in the brewery or saloon business *per se* that is at all hazardous or unhealthful, aside from the possible temptation to drink and its collateral hazards. Proprietors of distilleries are obviously not so directly exposed to temptation or to other adverse influences that obtain in the retail liquor trade; this accounts for the favorable mortality.
>
> Among hotel-keepers tending bar the death rate from cirrhosis of the liver was six times the normal; from diabetes, three times the normal; from cerebral hemorrhage or apoplexy, nearly twice the normal; from organic diseases of the heart, nearly twice the normal; from Bright's disease, nearly three times the




**37. INSANITY DUE TO ALCOHOLISM**
**In states formerly wet**

Reduced about 30 per cent. Considerable reaction.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the hospitals of the states.)

| 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Per cent of First Admissions to Hospitals | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level** (8.4) | | | | | | | | | | | | | |
| 10 | 10 | 8 | 7 | 7 | 7 | 5 | 4 | 3 | 3 | 4 | 5 | 5 | 6 |
| **119** | **119** | **95** | **83** | **83** | **83** | **60** | **48** | **36** | **36** | **48** | **60** | **60** | **71** |

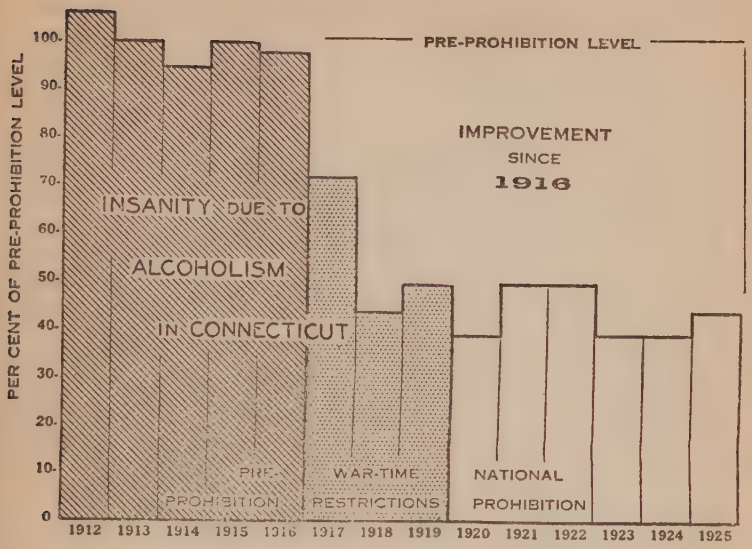
normal; from pneumonia, nearly twice the normal.

For brewery officials insuring under 45, the death rate from cancer and other malignant tumors, cerebral hemorrhage and apoplexy, organic diseases of the heart, pneumonia, and Bright's disease, among the proprietors, managers, and superintendents is about twice the normal, and from cirrhosis of the liver three times the normal. The death rate from suicide is nearly twice the normal.

*Prohibition Decreases Sickness*

Not only the death rates but the amount of sickness reflect the benefits of Prohibition. For instance, according to the New York State Hospital Commission Reports, the alcoholic insanity in the hospitals of that state shows, since Prohibition, no rate so high as the lowest rate prior to 1918, with one slight exception—5.7 in 1925, as against 5.6 in 1915. The average since Prohibition has been 3.8 as against 6.1 for the corresponding period before Prohibition. In Connecticut, the decrease in alcoholic insanity during Prohibition, as noted by Professor Farnam, has been considered elsewhere.

In concluding this chapter, I would summarize by saying that Prohibition is primarily in the interest of Public Health. It represents the greatest hygienic experiment in history and one of the most successful.




**38. INSANITY DUE TO ALCOHOLISM**
**in Connecticut**

Cut more than half. Improvement well sustained.

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**STATISTICAL DATA AND TECHNICAL DETAILS**

(Computations made from data furnished by the State Hospitals.)

| 1912 | 1913 | 1914 | 1915 | 1916 | 1917 | 1918 | 1919 | 1920 | 1921 | 1922 | 1923 | 1924 | 1925 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Per cent of First Admissions to Hospitals | | | | | | | | | | | | | |
| **and per cents of the Pre-prohibition Level (18)** | | | | | | | | | | | | | |
| 19 | 18 | 17 | 18 | 16 | 13 | 8 | 9 | 7 | 9 | 9 | 7 | 7 | 8 |
| **106** | **100** | **95** | **100** | **98** | **72** | **44** | **50** | **39** | **50** | **50** | **39** | **39** | **44** |

## CHAPTER XI

### The Economic Good

*Efficiency Increased Under Prohibition*

Throughout my exposition I have freely admitted that the present situation of imperfect enforcement of the National Prohibition law is intolerable and should be improved, especially where, as in some of the large cities and states of the East, local coöperation with the Federal authorities is withheld. But I have, I think, shown conclusively that, even in these wettest districts of the nation, a remarkable change has taken place in the abatement of the liquor habit, especially among the youth, so that even in the city of New York while the army of confirmed drunkards has dwindled, the court records show that the new recruits have dwindled much faster. I have analyzed the exaggerations of the main and minor exhibits produced in statistical form by the research director of the Moderation League, and corrected their distorted pictures, showing that conditions as set forth therein are not so bad as is represented. Further, I have examined the records of the good accomplished under Prohibition in terms

of bodily welfare, and presented them in graphic form. The next step is to bring out the facts of economic good under Prohibition.

Since scientific research has shown that alcoholic beverages slow down the human machine, and since the human machine is the most important machine in industry, we should expect the use of alcoholic beverages to slow down industry, and we should expect Prohibition, if enforced, to speed up industry. The experiments already cited show, for instance, that the equivalent of two to four glasses of beer a day will impair the work done in typesetting by 8 per cent, increase the time required for heavy mountain marches 22 per cent, and impair accuracy of shooting under severe army tests 30 per cent, and that the capacity for mental work was lessened by from 25 to 40 per cent by the equivalent of six to eight glasses of beer a day. These and about a dozen other similar figures of impaired efficiency from small doses of alcohol have been described in Chapter IX.

Assuming the total alcohol used in the United States before Prohibition to be consumed uniformly among its families, and assuming, as in the typesetting experiment (the minimum of the above figures), that each daily glass of beer reduces productivity 2 to 4 per cent, it follows that the productivity of labor would be increased from 10 to 20 per cent by effective Prohibition. But if, as is the

fact the consumption is unequally distributed, the impairment will, of course, be greater. That is, five glasses of beer consumed by one person will produce more impairment than one glass apiece when consumed by five persons. Therefore a 10 per cent increase in productivity is a safe minimum.

According to Ernest Gordon (29), in Russia, textile mills increased productivity 8 per cent after vodka prohibition—this in spite of the fact that in textile mills the pace is almost rigidly fixed by machinery. The Russian Minister of Finance reported that, in mining districts, the increased productivity had been 30 per cent. Observers in Finland found in mining districts an increase of 50 per cent after Prohibition.

All of us know that industrial efficiency was one of the chief reasons for Prohibition. Frederick W. Taylor, the chief apostle of Scientific Management, favored Prohibition and predicted its coming on just these grounds.

A Connecticut manufacturer, who made a careful reckoning before Prohibition as to what drunkenness among his employees cost him, thought that the elimination of drunkenness alone, without the elimination of moderate drinking, would increase his factory output over 20 per cent.

In view of all these and the other facts in previous chapters, it seems safe to conclude that labor productivity should be increased by at least 10 per cent through Prohibition.

Such an increase in productivity ought to find expression in increased wages and profits, especially in territory that was wet before Prohibition.

*Prohibition Saves Six Billion Dollars a Year*

Now let us see how this has worked out in actual fact. National income in 1919, the year before Prohibition took effect, was estimated at $66,000,000,000 by the National Bureau of Economic Research, our chief authority for such statistics. About three-fourths of this consisted of wages and profits, or $50,000,000,000. Let us assume that the remainder (interest, rent, etc.) was not increased through Prohibition. Most of the $50,000,000,000 was produced where the large cities and industries are, and these are mostly in the East, wet territory. A rough study shows that two-thirds of our national wealth, three-fourths of our corporate incomes, and four-fifths of our personal incomes subject to the income tax were in this territory.

It follows that at least two-thirds of the Nation's wages and profits (and perhaps even three-fourths) were produced in that territory, or over $33,000,000,000. Applying the minimum estimate of 10 per cent, we calculate that *at least* $3,300,000,000 should be added to our national production by Prohibition —or would be added if Prohibition were fully enforced—simply through the release of human energy and skill. In fact this 10 per cent is trebly safe as a minimum. It is based on the minimum observed

reduction of productivity of 2 per cent per glass of beer per day. It is based on an even instead of an uneven distribution of drinking among the workers of the whole country. It is then applied only to a part of the country.

This $3,300,000,000 is 5 per cent of the total income of the whole United States in 1919. It is in addition to $2,000,000,000 that were saved merely by transferring our energies from alcohol production to something possessing true value. In fact, the $2,000,000,000 loss from alcohol production would have been fully $3,000,000,000, perhaps $4,000,000,000 to-day were it not for Prohibition, or, let us say (in accordance with various other estimates), another 5 per cent of our total income.

In a nutshell, then, Prohibition saves 5 per cent that used to be wasted out of our incomes, and adds another 5 per cent into the bargain.

The only factor which might appreciably reduce either of these 5 per cents applies to the former. That is the wasted money and effort represented by bootleg traffic. This is an unknown quantity but, according to the best estimates, official and unofficial, is very small as compared with pre-prohibition traffic.

This double gain, through the transfer of energy and the increase of energy, is over $6,000,000,000—without counting any savings in the cost of jails, almshouses, asylums, etc.; or any economic savings from reducing the death rate.

### *"Real" Wages Rise to a New Level*

Turning now to experience since Prohibition, we ask, Is there any sign of such an increase in national income? There is!

We find that the "real" wages of labor per hour, after making all due allowance for changes in the purchasing power of the dollar, increased 36 per cent between July, 1914, and January, 1925; also that most of this sudden improvement came immediately after Prohibition.

Between 1892 and 1919, inclusive, "real" wages remained almost stationary. The fluctuations never exceeded 4 per cent above or below the average level for those twenty-eight years (excepting only once, in 1897, when it was nearly 7 per cent above). Likewise, beginning with 1920, at a higher level, real wages have remained almost as uniform. This new level is 28 per cent above the old level.

To repeat this striking fact in other words: With the coming of Prohibition, wages suddenly rose from their old level, which they had kept without much change for over a quarter of a century, to a new level where it now is, a quarter higher than the old.

### *Other Economic Evidence*

Profits have also risen, as has the total income of the country, but the figures for profits are not so nearly up to date. All of us, however, know of our present abounding prosperity. This is one reason for our unprecedented stock market.

Furthermore, the statistics of various types of personal savings, such as the assets of building and loan associations or the assets of life insurance companies, show a substantially greater rate of growth during the period 1920-25 than during the period 1915-20. This increased rate of growth is particularly marked if those assets are expressed in terms of purchasing power; that, is in "1913 dollars."

The foregoing facts fit perfectly with the theory that Prohibition should increase wages and profits by at least 5 per cent. Indeed, they leave a margin five times that figure to take account of other causes, as well as of the fact that this 5 per cent is a safe minimum and also of the fact that Prohibition is not fully enforced. Personally I am inclined to believe that Prohibition has saved and added much more than the $6,000,000,000 that I have estimated as a safe minimum. But it is always better to keep on the safe side, and to mention no higher figure specifically; for even a paltry $6,000,000,000 a year is well worth saving!

This is one reason why Gary, Leland, and other industrialists believe in Prohibition. If Prohibition enforcement cost us even $1,000,000,000 a year, it would be well worth while purely as an economic investment.

These conclusions are confirmed by Mr. Hoover, who, in a speech made before the United States Chamber of Commerce, said:

> Exhaustive study from many angles of production over average periods ten years apart,

> before and since the War, would indicate that while our productivity should have increased about 15 per cent, due to the increase in population, yet the actual increase has been from 25 to 30 per cent, indicating an increase of efficiency of somewhere from 10 to 15 per cent.

Mr. Hoover also said:

> In addition to elimination of waste we have had the benefit of notable advances in science, improvement in methods of management, and Prohibition.

Professor Carver of Harvard says:

> Anyone who attempts to explain all these amazing signs of prosperity among our working classes without mentioning Prohibition seems to me as extreme as the one who would explain them on the ground of Prohibition alone. I cannot explain them except by bringing in Prohibition as a contributing factor.

### *"Economic Nonsense" About Prohibition*

When Prohibition came, we were told that to destroy the saloon was to destroy that much business, that saloons help "make money circulate." This is what in the classroom we call "economic nonsense." To-day I think such talk seems nonsensical to almost everybody. No one has the hardihood to revive such statements, in view of our prosperity since Prohibition.

But we do hear it said that Prohibition is costly to administer, and that it deprives us of a source

of revenue for taxes. This also is "economic nonsense," since the real source of taxation is income. Not only income taxes, but all taxes, are paid out of income. Prohibition has added $6,000,000,000 a year to this stream of income, the source of all taxes. It is therefore penny-wise and pound-foolish to argue that Prohibition destroys revenue. It simply requires a transfer of taxes from alcoholic beverages to non-alcoholic beverages, and to the other products to which our energies have been transferred.

The simple truth is, Prohibition has replaced a parasitic industry by constructive industries. Breweries and saloons have given place to something more valuable. A survey made by Robert E. Corradini, of the World League Against Alcoholism, of the condition of about 3,000 former saloon properties in the Bowery, on Broadway and on all of the avenues of Manhattan, as well as side streets, showed that saloons have been replaced by restaurants, clothing establishments, groceries, candy shops, shoe stores, hardware stores, jewelry shops, banks, etc. The value of the land on these sites has not fallen as was predicted, but in most cases has risen. The new businesses that have preëmpted these sites are not only many more than the number of saloons they displaced, but each has more employees—from an average of two under the saloon régime to 3½ to 4½ persons under present employers (61) (62, p. 12) (63).

*Diminution of Poverty*

Turning the picture around, just as Prohibition increases prosperity, it decreases poverty. A subcommittee of the Committee of Fifty for the investigation of the liquor problem published, in 1899, a volume on the economic aspects of the problem. The investigation covered a period of about three years, and was carried on under the general direction of my colleague, Professor Henry W. Farnam of Yale University. The general conclusions of this investigation were that, of the poverty which came under the notice of the charity organization societies, about 25 per cent could be traced, directly or indirectly, to the use of liquor; of the poverty found in almshouses, about 37 per cent. In the investigation of crime, the conclusion was reached that liquor was a first cause in 31 per cent of the criminals studied, and that it entered in as a cause, directly or indirectly, in 50 per cent (64, pp. 79-134).

Labor leaders denounced Prohibition at the hearings before the United States Senate Judiciary Subcommittee in April, 1926, because they resented its interference with "personal liberty." But I noticed they did not say that it increased poverty. The late Warren S. Stone, Grand Chief of the Brotherhood of Locomotive Engineers, said on this subject:

> There are some people who labor under the delusion that they are going to have the Prohibition law modified or abolished. Some one should wake them from their Rip Van Winkle

sleep. I wish they could go with me for thirty days as I travel over this broad land and see the homes being erected everywhere, note the accounts being opened in savings banks, see the families out together in parks, recreation and community centers, children well fed, with shoes to wear, and warm clothing, going to school; see prosperity, happiness, and sunshine where formerly there were only squalor and misery. All this is a result of Prohibition. We are not going back to the old condition of things with their misery, want, and poverty—never again. *Prohibition has come to stay.*

### *Maguire's Criticism*

In the preceding calculation I have found that, beginning with Prohibition, wages, the fluctuations of which had never exceeded 4 per cent above or below the average level for 28 years, rose to a new level 28 per cent above the old. Further, it was found that profits had risen, and that savings achieved substantially greater growth in this Prohibition period. Out of this 28 per cent increase in wages and profits, I have ascribed only five to Prohibition.

Notwithstanding this moderate economic claim in behalf of the benefits of Prohibition, I am reminded by Thomas F. Maguire, in his summing up for the Wets at the Washington hearings before the Senate Judiciary Sub-committee in April, 1926, that I have failed to take account of the plight of the American farmers during the first five years of Pro-

hibition, and to this he adds the interesting information—if it is true—that present prosperity is largely accounted for by the new vogue of buying many classes of goods, including automobiles, on installments.

While of the 37 billion dollars in retail sales during 1925, as recorded by the Department of Commerce, it is believed that about 5 billions represent the total of installment buying, this is not, comparatively speaking, a very large sum. Besides, the 5 billions is the total volume for a full year, not the volume of installment paper, which ranges from ten weeks to two years outstanding at a given time. Moreover, the sum includes the cash-down payments of from 10 per cent to 40 per cent when the sales were made. Probably the total outstanding installment credits, on the basis of sales in 1925, should be placed at about $2,500,000,000.

This sum does not bulk large in the nation's business! As compared with these two and one-half billions, bank loans are constantly outstanding in sums ranging from 20 to 30 billions. There are upward of 100 billions of long-term bonds outstanding in the Federal, municipal, and corporate classes, and in country and city mortgages, and of these about 8 billions customarily represent installment loans on dwellings. Moreover, all rents have from the time of serfdom embodied the installment idea carried out in perpetuity. In the enormous uptake of the annual volume of our domestic and foreign

trade the growth of installment credits is slight, and can have small influence on present prosperity. But doubtless Prohibition has lessened the risks, by putting them on a soberer class of installment prospects, and has been a real factor in the spread of this method of budgeting the family income.

As for the hard times which the farmer has experienced during the unprecedented rise in the wage level of the industrial population, no one is better aware than the farmer himself that Prohibition has done nothing to accentuate them. Farmers as a class are prohibitionists. To Prohibition, which has reduced the drain on the Saturday payroll in the food-consuming cities, they ascribe, if anything, an alleviation of their woes.

The trouble of farmers in the Middle West is due, as is well known, to influences antedating National Prohibition by many years. Fully a decade prior to 1920, farm lands had been "boomed" and bought on margin at highly inflated prices. Then a great credit deflation occurred in 1920. During this deflation the whole country suffered, but the Middle Western farmer suffered more than the rest, because he was caught deeply in debt; because food products are especially sensitive to price movements; because, following the war, the Panama Canal opened up new competition; because the war demand for food abroad had disappeared; and because of the Fordney-MacCumber Tariff.

The authoritative spokesmen for the farmers, in-

cluding Senator Capper of Kansas, ex-Governor Lowden of Illinois, and Wallace, editor of *Wallace's Farmer,* are agreed in putting the blame for the farmer's plight chiefly upon the high tariff, which compels the farmer to buy at high prices in a protected market and to sell at the low world prices in unprotected foreign and domestic markets. But, fundamentally, the difficulty would have been prevented had the purchasing power of the dollar been stabilized in the pre-prohibition years to forestall the inflation of prices that ultimately brought farm deflation in its train.

It may also be noted that not all farmers are suffering to-day. It is only the Mid-western farmer who is especially hard hit. Recent reports from the state of Washington, for instance, indicate that the farmers in that region are prosperous.

In conclusion, we may say that Prohibition is not only sound hygiene but sound economics; not only is it the greatest hygienic experiment but the greatest economic experiment in history and one of the most successful.

## CHAPTER XII

### Personal and Social Liberty

*Interest of Society Paramount*

But, we are told, it matters not how much hygienic and economic good Prohibition may do. It's wrong in principle. It is an interference with personal liberty. Even if Prohibition saves over six billion dollars a year, improves health and efficiency, decreases disease and death, it isn't worth it if it interferes with personal liberty.

Well, does it?

The social organization is such that true liberty must be a compromise between the marauding instincts of one man, and the desire for safety on the part of another. Personal liberty is therefore limited to boundaries set by the welfare and liberty of the social group. In a recent speech, Senator William E. Borah of Idaho said:

> The man in the automobile may be opposed to the Eighteenth Amendment, but he will instantly discharge a drinking chauffeur. The train may be crowded with delegates to the anti-Prohibition convention, but they would mob the engineer who would take a drink while

> drawing his precious freight. The industrial magnate may talk critically of sumptuary laws, but he will apply them like a despot to the man who watches over the driving power of his vast establishment. When safety is involved, we are all drys. Where the exigency of modern life demands a clear brain and instant decision in order to save thousands of lives and millions of property, we are all dry (30).

This merely emphasizes the principle that when one man's personal liberty is sacrificed to the personal liberty arrogated by another man then the point at which the first man's liberty becomes private license is reached. It is then against the social liberty, and therefore to be prohibited.

The robber takes the liberty or license to arrogate, unearned, the products of his neighbors' efforts, but the liberty of the community as a whole necessitates law prohibiting the vicious license that the robber takes. The murderer arrogates to himself the license to kill another, but the victim's liberty is thereby wholly forfeited, and laws against murder are forceful in their prohibition. White men of the South demanded the license to enslave negroes, but the country as a whole believed that such enslavement was unjust to the negro and morally prejudicial to the whole community. The license to enslave was consequently forfeited for the larger consideration of the liberation, emancipation, of the country as a whole from a degrading system of human exploitation.

Ignorance is prohibited by laws compelling children to go to school. Smallpox is prohibited by requiring children to be vaccinated. Typhoid fever and other diseases are prohibited by providing for clean milk and water and inspected meat. Tuberculosis is prohibited by the restriction of people's liberty to spit in public places, or to build disease-breeding tenements. An industrial ailment is prohibited by not allowing manufacturers the liberty to produce poisonous matches. Drug addiction is prohibited by not permitting anyone to buy and peddle habit-forming "dope" or to use it as he pleases. And alcohol is simply the chief example of habit-forming dope.

Centuries of experience with alcoholic drink have placed it among the marauders, the robbers, the disease spreaders, the enslavers, and the killers.

Senator Borah is right. The organization of society is now so complex that in many lines of endeavor we carry each other's safety in our hands, and none of us is free if another takes the liberty to dull his wits with drink.

*Drink as Destroyer of Drinker's Own Liberty*

Not only does alcoholic drink put a restriction on the liberty of all those about the drinker, but it manacles the drinker himself.

The mental worker who takes alcohol voluntarily puts a yoke upon himself. He limits the exercise of his faculties, for he cannot judge so wisely, will

so forcefully, think so clearly, as when his system is free from alcohol. The athlete who takes alcoholic liquor is similarly handicapped, for he is not free to run so fast, jump so high, pitch a baseball so accurately as when his system is free from the drug. Anyone who has become a "slave to alcohol" has lost the very essence of personal liberty.

That man has the greatest liberty who most completely satisfies his major human instincts—self-preservation, workmanship, home-making, self-respect—while retaining an harmonious relation to the social group in which he lives.

According to a court decision in the state of Ohio:

> Liberty, as used in the first section of the Bill of Rights, does not mean a mere freedom from physical restraint or from the state of slavery, but is deemed to embrace the right of man to be free in the enjoyment of those faculties with which he has been endowed by the Creator, subject only to such restraints as are necessary for the common welfare.

The liberty of the alcoholic-drink manufacturer and seller to profit by the enslavement of the drinker was prohibited in 1920 by the adoption of the Eighteenth Amendment to the Constitution and the passage of the Volstead act. That is, the liberty of one man to make and sell intoxicating drink was held to impair the liberty of another man to enjoy health and economic and social welfare. Ask the wife of the workingman who wants full "personal

liberty" to drink whether this would increase her personal liberty. She will cut out all technicalities and go straight to the main point—that her husband's personal liberty to drink takes away her personal liberty to eat!

### *Liberty as Defined by Law*

Various legal decisions have defined personal liberty as follows:

> Liberty as understood in this country is not license, but liberty regulated by law (31).
>
> Liberty, the greatest of all rights, is not unrestricted license to act according to one's own will. Liberty is freedom from restraint under conditions essential to equal enjoyment of the same right by others. It is then liberty regulated by law (32).
>
> Intoxicating liquors belong to a class of commodities which may be made contraband at the will of Congress (33).
>
> Nor can it be said that the Government interferes with or impairs anyone's constitutional rights to liberty or to property when the government determines that the manufacture and sale of intoxicating drinks for general or individual use, as a beverage, are or may become harmful to society and constitute, therefore, a business in which no one may lawfully engage (34).

We see, then, that, properly defined and analyzed, true personal liberty is enlarged through Prohibition just as it is enlarged through compulsory education

or through any other beneficent legislation. It is just because I believe so enthusiastically in enlarging the personal liberty of mankind to enjoy the full possession of its powers that I favor Prohibition.

## CHAPTER XIII

### The Social Good

*Testimony of Social Workers*

In the emancipation of youth from the dominance of the saloon and in the dwindling number of new recruits to the army of drunkards, as attested by the records charted in this book, is afforded a measure of the social liberty already achieved under National Prohibition. But certain social benefits should be further emphasized. "The chief beneficiaries of the dry law in America are the small children," according to Theodore A. Lothrop, general secretary of the Massachusetts Society for the Prevention of Cruelty to Children. "Twice as many children to-day would be victims of improper bringing up because of liquor, if the dry law were not effective."

The same society found intemperance in only 21.9 per cent of its cases in 1924, as compared with 47.7 per cent in 1916. The annual report for 1924 said,

> Whatever other results statistics may show as to the value and effectiveness of National Prohibition in suppressing the evils of intemperance, our records show that since National Prohibition intemperance has been at all times less than half that prevailing before. The con-

dition of women and children has correspondingly improved.

Lieutenant Colonel Hamon of the Salvation Army, representing Commander Evangeline Booth at the National Prohibition hearings in Washington (1, pp. 677-682), testified to the same effect. Colonel Hamon said that the Cherry Street Settlement found it no longer necessary to provide clothing for the children attending its club meetings, for since Prohibition came they have been well clothed and shod at home. In the New York Rescue Work for Women and Girls, the head of that department of the Salvation Army reported that before Prohibition, 50 per cent of the aid furnished in homes was because of drunkenness, and this cause had now dropped to 1 per cent of the total. The Salvation Army was taking cases in its hospital of an entirely different type from the old cases of acute alcoholism, and was specializing on preventive cases.

At these hearings Lee W. Beatty, superintendent of the Madison Square Church House of New York City, gave estimates of a drop of one-half to one-twentieth in the expenses per month for preventing mothers with little children from being dispossessed and providing them with food and clothing, as compared with the pre-prohibition expenses of this Church House. On the opposite corner where a saloon had been there was now a haberdashery, and not a speakeasy in the whole section (1, p. 770). Further, the Church House found that most of the

former beneficiaries of its fresh-air fund, who crowded their accommodations five times a summer in pre-prohibition days, dwindled to a maximum party of 27 during the first year of Prohibition. One family, in which the drinking father had become sober, was paying $300 for a bungalow at the seashore for the season. Mr. Beatty had detected but one case of home-brewing, although he had made house-to-house inspections in the neighborhood of the Church House.

Mrs. Katherine Condon Foster, student secretary of the Board of Education at the Northern Baptist Convention, testified at Washington of the changed habits and disposition against drinking manifested in the 30 colleges and universities she had visited. Now, drinking was rare, sporadic, and conspicuous where it was formerly not at all unusual. Mrs. Foster reported the testimony of a house mother at one of the boys' preparatory schools, that in her 22 years' experience the few years under Prohibition have relieved her of most of her cares. Among the university fraternities, especially, Mrs. Foster said that the faculties and administrative offices reported notable improvement over the pre-prohibition years (1, pp. 694-696).

### *Testimony of Newspaper Editors*

As to certain other social aspects of Prohibition, Edward Keating, ex-Congressman from Colorado and editor of the official organ of the railroad labor

organizations at Washington, D. C., gave the results of his personal observations as a newspaper man to the Senate Judiciary Sub-committee. Mr. Keating testified that it was the general opinion of newspaper men from New York to San Francisco that the liquor interests when licensed had never obeyed the law, and had been in combination with all other evil interests in cities and states to secure unjust advantages. It was his belief that since Prohibition the public had the advantage of dealing with the liquor industry as an outlaw, a hunted thing fighting for its life. Hence it was easier to regulate it.

Research Bulletin No. 5 of the Federal Council of Churches, 1925, among 170 replies to its questionnaire sent to the editors of morning newspapers in the United States and to other newspapers in six states, furnishes a commentary on this testimony of Mr. Keating's. Of the 170 editors who replied, 116 said their newspapers were favorable to the Volstead Act, while 30 were neutral, and only 24 favored repeal of the amendment. Reporting on the sentiment of their communities toward Prohibition, 106 editors said it was favorable, and 113 editors said their own attitude was of approval of the Volstead Act. These replies, which were not from the large Eastern cities, testify to the public sentiment prevailing throughout the nation.

At the Prohibition hearings Mr. Keating remarked at the disappearance of drunkenness at public meet-

ings, political caucuses, state and national political conventions; at county fairs, baseball and football games, holiday celebrations, and all celebrations of a public character. Moreover, the former advertisements of liquor in the newspapers and magazines, on billboards and electric signs all over the country had vanished, as well as the open display of liquor in the hundreds of thousands of saloons on the principal street corners. How could intoxicants, he asked, be drunk now to such a degree when this tremendous incitement by advertising had completely disappeared?

### *Benefits in Wet Pennsylvania*

Dr. Ellen C. Potter, of the Department of Welfare, Pennsylvania Alcohol Permit Board, named at the Prohibition hearings six reasons why there should be no weakening of the Prohibition law in her state. Among the measurable benefits were:

1. The disappearance of the saloons.
2. The diversion into productive channels of industrial forces, wage earners, capital, etc., formerly catering to the liquor traffic, which had resulted in an unprecedented industrial growth.
3. Increasing economic well-being of the people, with more stable employment, greater individual earning power, earnings diverted from the anti-social to social and productive uses, which mean increased consumption of goods, saving for building activities, insurance, etc.

4. Lessened demand upon charitable relief as a consequence of drink.

5. Definite health benefits occurring in lowered mortality in general and from alcoholism, and lessened mental illness due to drink.

6. Decreased illness from drunkenness in general, fewer prison commitments and prison population (1, p. 722).

Again speaking for wet Pennsylvania, the Right Reverend Bishop James Henry Darlington of the Protestant Episcopal Church, said his diocese embraced the coal regions, wherein the last strike, the longest in 25 years, had continued for six months under the Prohibition law without one outrage being reported to the police. Bishop Darlington testified that after his Church had called for renewed enforcement of the anti-narcotic law, fearing that the narcotic habit would increase after Prohibition, it was found that the sale of narcotics had fallen off one-half. The habit-forming drugs had formerly been purveyed chiefly through the saloons, and the traffic had largely died with them.

### *Other Evidence*

Frank J. Harwood, Moderator of the National Council of Congregational Churches, testified as a manufacturer that his mill-yard was daily full of motor cars driven by his workmen, many of whom credited the fact to Prohibition and the savings it occasioned them. Every morning three to four milk wagons would drive to the mill, as the men

were using milk instead of beer, and better work resulted (1, p. 804).

As a member of the City Council of Cleveland, Ohio, Mrs. Helen H. Green quoted statistics of the Cleveland Juvenile Court from 1915 to 1925. In that interval Cleveland had increased by 300,000 in population, but juvenile delinquency had decreased, and had fallen from 2,847 boys and 655 girls in 1918, the last year before State Prohibition, to but 1,898 boys and 621 girls in 1925. The Night Court sitting on liquor cases had been done away with, a single judge now taking care of all that came before the Municipal Court; the cases had diminished from 41,150 in 1917 to but 23,393 in 1925. The Associated Charities of Cleveland had reported a pronounced decrease in poverty, as compared with pre-prohibition years (1, pp. 772-782).

Kentucky, the home of more distilleries and breweries than any other state, was reported by Mrs. Helm Bruce, chairman of the Law Enforcement Committee of that state, to be happy, prosperous and sober. The great whisky lobby was gone. The saloons had disappeared. Kentucky's streets, full of high-powered automobiles and trucks, were no longer dangerous. Its factories had ceased to be empty on Mondays, but filled with clear-eyed men (1, p. 717). Patrick H. Callahan, manufacturer of Louisville, Ky., said that when Prohibition came the distillers immediately put their money into legitimate business. Unskilled labor formerly employed

in distillery work at poor wages, found more stable employment at better pay, increasing their purchasing power for the benefit of tradesmen. The flood of new money invested in skyscrapers and other buildings in Louisville had produced a new skyline. Assessments for taxes rose from $122,000,000 in 1920 to $319,000,000 in 1925. Building permits increased from $2,179,158 to $29,910,000 in the same period, and national bank deposits from $68,000,000 to $92,000,000. Savings bank deposits went up from $30,000,000 to $44,000,000. Population grew from 234,000 in 1920 to 305,000 in 1925—a growth which, under old conditions, would have taken 17 years. But police records showed arrests for drunkenness reduced from 6,172 in 1919 to only 2,462 in 1924. Here, again, the figures of the Moderation League were shown to be incorrect and exaggerated (1, p. 839).

James A. Hewes of Boston reported that since Prohibition he had had little difficulty with drunkenness among his traveling salesmen, whereas formerly he was constantly changing their personnel for this single reason. Dr. Raymond, General Secretary of the Family Welfare Society of Boston, said that the number of families in which intemperance was producing poverty decreased from 25 per cent in 1918 to but 9 per cent in 1925, adding that "the facts are even more convincing than the figures"; and that drunkenness now "stands out like a sore thumb, and rarely escapes recognition," as it did

formerly. H. O. Brewer, of Brewer & Company, Worcester, Mass., said Prohibition had cleaned up an undesirable section in which their manufacturing plants were located; that employees were apparently better off financially than in pre-prohibition days, social conditions were improved, real estate values had risen, and he believed the concession of light wines and beer would be a concession to the evils of liquor (1, pp. 915-924).

In this manner the testimony may be multiplied from abundant records.

### *Aristocratic Tradition of Drink*

As contrasted with such testimony of augmented social welfare guarded by the Prohibition law, what plea can be urged in behalf of the few wealthy and influential men who persist in joining with the liquor interests in the cry of personal liberty when they mean personal license?

For alcoholism among the rich merely carries on in a democracy one of the outdated traditions of feudalism, when drinking was a lordly luxury. Although the accumulation of wealth is basically a good thing, especially when it lifts the general standard of living, increases the variety of wholesome goods and decreases the strenuousness of labor, there is always a danger lurking in it. History is full of examples of how luxury enervates and harms, and leads to the decline of civilizations. With wealth often come luxury, abuse of power, and

degeneration of the racial stock. In monarchical Europe alcoholism became the badge of the gentleman, who displayed his mark of leisure, drunkenness, as the woman of to-day displays her diamonds. We have still as a survival in society the persistence of the ideal of aristocratic vice, which has come in conflict with the modern ideal of increased social responsibility. This heightened social sense is brought about by the production of more powerful instruments of civilization, which may at any moment become death-dealing if intrusted to hands and brains that are stupefied by drink.

With the old ideal was the tradition that work of any kind, or service to society as a whole, was a disgrace. Drinking and carousing were part of the insignia of rank, fortune, and leisure. Celebrations of all kinds were accompanied by drinking, which was to be expected on social occasions and as part of the personal amenities. The tradition crept into commercial life in the signing of contracts and the booking of orders. Salesmen were expected to treat their patrons to wines and whiskies, and friends were often called upon to celebrate with potations any unwonted stroke of luck or achievement by their neighbors. I recall being invited with many other guests on a special train which bore us to the cotton fields of North Carolina, to see demonstrated there the work of a new mechanical cotton picker. We were told the story how this machine had been endorsed by the United States Depart-

ment of Agriculture, an event which was celebrated by the inventor, who called in his friends, and the excesses of the spree that followed brought him to his deathbed.

The abolition of the saloon and of drinking in clubs and at public dinners are an unequivocal sign that the new ideal of social responsibility has progressed. The completion of this triumph will come with the final defeat of the Old Guard of the commercial liquor interests combined with the remnant of social and intellectual leaders of wealth who are making common cause with them against National Prohibition.

The method employed by the brewing and distillery interests in effecting this alliance, and in organizing bodies of distinguished membership, will be the subject of another chapter.

## CHAPTER XIV

### "Personal Liberty"—Commercialized

*Who Is Maguire?*

When the Moderation League of New York, the Constitutional Liberty League of Massachusetts, the Association Against the Prohibition Amendment, and the American Federation of Labor appointed a joint legislative committee to represent them at Washington during the Prohibition hearings of the Senate Judiciary Sub-committee in April, 1926, they selected as their spokesman Julien Codman, Vice President of the Constitutional Liberty League of Massachusetts. Mr. Codman was invited to call the wet witnesses, Senators William Cabell Bruce of Maryland and Walter E. Edge of New Jersey, whose several bills and resolutions opposing the Prohibition law were under consideration. Supporting these Senators on the Sub-committee was Senator Reed of Missouri. Next to Senator Reed sat a gentleman, about whose connection with the hearings I have this information:

> You expressed the wish that I write you about the mysterious gentleman who sat at Senator Reed's right elbow during the hearing

> at Washington. The man is Thomas F. Maguire. For a number of years he has been connected with the Heffenreffer brewing interests in Boston. He has acted as a lobbyist and general factotum for liquor men in years gone by. He is a well-versed, shrewd man in his line of business. I was told by a newspaper man that just now he is directly representing the Charles S. Rackemann-Julien Codman group, who are organizing here in Boston as the Constitutional Liberty League.

It was this Thomas F. Maguire, executive secretary of the Massachusetts Constitutional Liberty League, who presented for the joint legislative committee of the Wets at Washington the final summining up, brief, and analysis of the evidence before the Senate Sub-committee on the Judiciary.

When Senator Walsh demanded of Mr. Codman at this hearing the membership roll of the Moderation League and its affiliated organizations, the spokesman for these bodies answered:

> I can tell you the names, or can give you the names, of their presidents, vice presidents, and advisory committees, and all of their executive officers, but I am under the impression that the Moderation League (Inc.) of New York, has not much of a membership, but is what you might better describe as a small working organization (1, p. 43).

It is commonly suspected that, unbeknownst to the respectables in the Moderation League, the liquor interests are behind it in some way. But this has

not been proved, and is indignantly denied by those in a position to know. Let us assume, therefore, that there is no connection.

### *Confidential Report on Publicity*

There is one question which we should all like to have answered: What, if anything, is the United States Brewers' Association doing now? They have not disbanded. Are they sitting idly by and letting events take their course? They never did so before.

During the pre-prohibition Senate investigation in 1919 there was offered in evidence "A Confidential Report of the Publication Committee, to be read at Executive Conference," of the United States Brewers' Association. This report said:

> During the past year a large number of articles have been published in many of the leading newspapers and magazines which have either been suggested by us or have been based on our investigations, and from the medical viewpoint articles and editorials have been published in the *Medical Record,* in the *Journal of the Medical Association,* and in the *British Journal of Inebriety.*
>
> Articles have been published in the *Survey, Outlook, American Underwriter,* and the *Journal of the American Statistical Association,* and the *American Food Journal* and the *National Municipal Review* (4, pp. 60-62).

Now articles and editorials published in important scientific, medical, and technical journals must

be written by men of professional standing, if they appear at all. The names of such professional men, of course, have been sought as wet authorities and as a screen behind which the brewers may carry on their propaganda.

Clearly all of the members of the Moderation League are put on notice by such evidence as this, derived from the same confidential publicity report which tells of pre-prohibition leagues organized by the brewers:

> Another effective means of publicity established by you was when arrangements were recently made to take over the control, and direct the movements of, the National Model License League. This organization has an established name throughout the country, and it is the means of securing extensive dissemination of friendly matter. The fact that you are directing this movement will bring it into more harmonious accord with the general plans of publicity and organization established in National and State campaigns . . . (65, p. 4).

Such organizations have, in the past, been detected in exploiting the names of "high respectables" without their knowledge. Granted that the Moderation League has no brewery connections, the names they carry can be exploited in other ways. It is easy for a brewer to reprint a "respectable" article against Prohibition and give it a circulation many times what it would otherwise have. Thus the respectables become, in spite of themselves, the catspaw of the liquor interests.

*The Honest Wets*

From time immemorial the same old methods have been employed by the liquor interests to utilize respectable members of the community. Evidence of this is furnished by Mr. Ernest Gordon, in "Two Footnotes to the History of the Anti-Alcohol Movement." He explains the methods early employed in Massachusetts:

> The Massachusetts law, the culmination of a self-sacrificing agitation, was passed in 1852. The distractions of Slavery, Civil War, and the reconstruction period had made its proper enforcement extremely difficult. The liquor dealers, according to their usual tactics, had broken the law and then explained to the public the impossibility of its enforcement. Those elements to which Prohibition has always been as smoke to the eyes and vinegar to the teeth, instead of rallying to law enforcement, used the opportunity to secure its repeal. *Ex-Governor Andrew,* lowering himself to become counsel for the (illegal) liquor interests, threw his great influence against it. In 1867 petitions were presented for a license law. The list of signatures is characteristic. *At the head came the conventional good man,* in the present instance Alpheus Hardy, a leading merchant and philanthropist. Then followed thirteen Harvard professors, the Episcopal bishop, various Irish Catholic priests, the French consul, and many influential citizens of the State (35, p. 4).*

Hugh F. Fox, who is still Secretary of the United States Brewers' Association, testified in 1919 that

* The italics are mine.

"it was an utterly impossible task to reach the mass of the people directly" (4, p. 84), and that they would be obliged to "try to get leaders interested in putting forward some kind of a program no matter how drastic it might be" (4, p. 83).

As Senator Capper says, however:

> It would be unfair to say that all the personnel of the organizations now politically active against Prohibition is connected with the liquor interests. Nevertheless, any liberalization of the law permitting the sale of beer or wine would redound chiefly to the benefit of the brewery and wine interests and they are, therefore, deeply concerned in the success of the campaign now being waged (66, p. 161).

*"License they mean, when Liberty they cry"*

In examining the Massachusetts Constitutional Liberty League, affiliated in a common bond with the Moderation League of New York, it may be of interest to examine into "Liberty Leagues" of the recent past.

A colloquy on the subject occurred between John A. McDermott, Manager of the Organization Bureau of the United States Brewers' Association, when an investigation was made of the relation of the brewing and liquor interests to German propaganda, and his Senate questioners (4, p. 402). Mr. McDermott said that he had held his position with the United States Brewers' Association for eleven years, and that he was employed to organize the brewers in

the different states, and to combat the Prohibition movement:

MAJOR HUMES: Did you have anything to do with promoting the organization of retail liquor dealers' associations as well, encouraging that work?

MR. MCDERMOTT: Where we were in a state fight, or a county fight, or anything of that kind, if they were not organized, I organized them; yes, sir.

MAJOR HUMES: You organized them as the emergency arose?

MR. MCDERMOTT: Absolutely.

MAJOR HUMES: Did you have any working agreement, or were you in touch, with the National Wholesale Liquor Dealers' Association, in organizing the state bodies of each organization in the several states in which you operated?

MR. MCDERMOTT: I do not know that I ever organized any State wholesale liquor dealers' association.

MAJOR HUMES: I say, you coöperated?

MR. MCDERMOTT: Oh, yes.

MAJOR HUMES: You worked together in order each to organize his own branch of the trade?

MR. MCDERMOTT: Yes. (4, p. 402.)

* * * * *

MAJOR HUMES: Was it not your policy, when you went into a state, to organize as many associations of various kinds as possible, liberty leagues, personal liberty leagues, manufacturers'

and dealers' clubs, and other organizations, giving them various names, in order to further your propaganda and carry on your organization work?

MR. MCDERMOTT: Certainly. We organized all the elements that were opposed to Prohibition.

MAJOR HUMES: And you organized them under some trade name or some other name that would distinguish them from brewery organizations or liquor organizations?

MR. MCDERMOTT: The local people would organize, and they would select their own name. . . .

SENATOR STERLING: And under whatever name they were organized, for the purpose of fighting Prohibition?

MR. MCDERMOTT: Yes, they were organized to fight Prohibition.

MAJOR HUMES: Was it not your purpose to use names for these organizations that would not indicate the real, underlying purpose of the organization?

MR. MCDERMOTT: I never looked at it that way, because before they went along very far everyone could understand the underlying principles of the organization.

MAJOR HUMES: Could the public at large, those who were not associated with the organization, know the purpose of the organization from the name?

MR. MCDERMOTT: No, I do not suppose they could.

MAJOR HUMES: It was good campaign management from your standpoint to organize in

> a way and under a name so that the public would not recognize the connection of the organization with the liquor movement? That was good politics from your standpoint?
>
> MR. MCDERMOTT: That is a question. It has not brought much result (4, p. 412).

The use the brewers made of their "Liberty" leagues and of their "Association of Commerce and Labor" was expansively described by Mr. Percy Andreae, organizer for the United States Brewers' Association (4, p. 371).

Explaining how effectively a more centralized system worked, he said:

> Gentlemen, take our organization in Ohio. I can go to the telephone here (Atlantic City), call up our headquarters at Cincinnati, and say: "I want that statement to be in the hands of the members of the *Personal Liberty League of Ohio* within twenty-four hours." In twenty-four hours that statement will be in the hands of 150,000 people, voters in the State of Ohio, and among those 150,000 voters are several thousand who are good for a large number of votes besides their own (4, p. 377).

To-day, the Liberty League, Inc., Washington, D. C., also contributes to the Anti-Prohibition literature. The writer is J. A. Danielson, whose material bears their name as publisher. This writer, in curiously commercial language, deplores the fact that "good liquor" has been eliminated by Prohibition. He says:

> During the years of experimentation with this law we have learned that its so-called enforcement eliminated good liquor, but that it cannot eliminate bad liquor. Prohibition has driven off the market reliable liquors, especially the milder and more wholesome grades, such as wine and beer, and it has flooded the country with substitutes that are concentrated to the killing point. There is something decidedly wrong with a law that quite easily eliminates good liquors, but is incapable of eliminating the inferior and harmful ones (36, p. 3).

One can scarcely go over such a record of "personal liberty" leagues, past and present, without realizing that, however sincerely used by innocent people, the "personal liberty" slogan is, in origin and effect, little more than a camouflage for the liberty of the brewers to resume their parasitic traffic.

## CHAPTER XV

### Further Activities of the Brewers

*How Millions of Readers Were Reached*

In the previous chapter some account was given of how the compact organization of the brewing interests, just prior to War-time and National Prohibition, exploited the honest wet sentiment of the country for their own advantage. The record of the United States Senate which so thoroughly exposed their propaganda, mixed as it was with disloyalty to the war administration, reveals further details of their methods of appealing to popular sentiment in behalf of the commercial liquor traffic.

The National News Bureau of the brewers supplied a weekly news letter to 5,300 of the 12,000 weekly papers of the country, all published in the small towns, with a paid circulation of 5,300,000, and with an estimated reading by 15,000,000 people. The actual pieces of literature reaching readers by means of this bureau and the foreign-language press alone was computed by the brewers to be 431,600,000 annually, namely (4, p. 1252; p. 15):

| | |
|---|---|
| Reproductions of *personal liberty* articles 26 times a year..... | 156,000,000 |
| 5,300,000 reproductions of our news letter in 5,300 weekly papers having a total circulation of 5,300,000 52 times a year ..... | 275,600,000 |
| Total ..... | 431,600,000 |

One wonders how many million "reproductions of *personal liberty* articles," written by honest, innocent Wets to-day, are being circulated at the expense of brewers. I have personally seen some such.

### *Labor's "Friend"*

Articles in labor papers, over a seemingly disinterested writer's personal signature, but secretly financed by the brewers, "contributed their share in arousing organized labor to opposition of Prohibition," according to records taken from the office of the Brewers' Association in 1919 (4, p. 456).

A complete collection of the "personal liberty" articles by Percy Andreae, the active organizer of the Brewers' Association, was published in book form by a publishing firm, and a copy supplied to "all the libraries of the country,"—the entire cost of the undertaking paid for by the National Wholesale Liquor Dealers' Association (4, p. 1253).

An address entitled "The Need of a Personal Liberty Day," delivered by a United States Brewers' Association representative, was considered by them

of such merit that it was given wide publicity, and many State Brewers' Associations "used it extensively in their campaigns" (4, p. 458).

A play, produced in a number of cities and called "The Passing of Hans Dippel" (4, p. 1253), presented the story of a hard-working German saloonkeeper of the highest respectability being gradually ruined by opponents promoting the dry movement, and his business destroyed without compensation. In a motion picture, beer was presented as the friend of the worker, a nourishing stimulant, in the form of "Liquid Bread" (4, p. 67).

### *Use of the Chautauquas—"Without Creating Antagonism"*

The Brewers' "Publication Committee" put it this way:

> Outside of the large centers of population, there is perhaps no organization more important in shaping the sentiment of thoughtful people than the Chautauquas, of which there are now some 5,000 throughout the country. *It would probably be impossible for us to arrange a hearing with them directly,* unless occasionally in the form of a debate the value of which is distinctly obvious. We have, however, been experimenting for the past four months in a number of principal Chautauquas in the Middle Western States through the medium of an organization that advocates the peaceful solution of all vexed problems of

> the day, by the application of sympathy, respect, and coöperation. Its platform is that the reconstruction of society depends upon the individual rectitude, rather than upon civic or commercial revolution. The argument against sumptuary legislation fits in very well with this program, and has been brought in, incidentally, *without creating the antagonism that it would if given special prominence.* This organization has been engaged in booking speakers for the next year, both in Chautauqua meetings and in the churches, colleges, lyceums, etc.

And the report adds:

> You will, of course, understand that the matter is of a confidential nature, and that the success of the movement would be destroyed by the exploitations of it (4).

### *German Propaganda—"No Suspicion of the Influences"*

The brewers' interest in German propaganda during the War and their donations of money to the German-American Alliance whose charter the American Government revoked after an investigation (4, pp. 1255; 27), are now matters of widespread knowledge because of the fact that some of the propaganda ringleaders went to jail. The effort of pro-German factions to control one of the great metropolitan dailies in order to use its vast resources, local and national, for the promotion of German interests, included a plan for articles agi-

tating "Personal Liberty." Alien Property Custodian A. Mitchell Palmer, said:

> It is around these great brewery organizations owned by rich men, almost all of them German by birth and sympathy, at least before we entered the War, that have grown up the societies and the organizations of this country intended to keep young German immigrants from becoming real Americans (4, p. 10).

In spite of the fact that, as one of the promoters put it, "politically the transaction would have to be handled with the utmost delicacy, that no suspicion of the influences behind it should be allowed to reach the public" (4, p. 12), it became a matter for the courts, with subsequent indictment and conviction of the leaders of the ring.

### *John Koren: Brewers' Writer*

Prominent propagandist against Prohibition was Mr. John Koren, at one time President of the American Statistical Association. He passed with many people as an earnest, dispassionate, scientific student. Deploring the evils of alcoholic drink, and agreeing with the Prohibition workers at almost every step along the line, he sidestepped only at the last point—Prohibition. He was concerned with the "Inherent Frailties of Prohibition" (67, p. 52). The proper way out of what he called "this painful, humiliating, besmirching, and dangerous situation (Prohibition) is to adopt the recommendation of

the Constitutional Liberty League of Massachusetts for a popular referendum."

"I was responsible for the retaining [at $5,000 a year] of Mr. Koren," Mr. Hugh F. Fox said, when, in 1919, as Secretary of the United States Brewers' Association, he was questioned regarding the relation of his Association to German Propaganda (4, p. 87).

Mr. Feigenspan, President of the United States Brewers' Association, testified that there were "half-a dozen or so" writers (4, p. 60) employed on a similar basis.

Mr. Gordon says in his "Two Footnotes to the History of the Anti-Alcohol Movement" that Mr. Koren is the personal friend of Mr. Fox, who believes in him up to the hilt. In 1910 Koren was a welcome speaker at the Brewers' Congress at Atlantic City. Signed articles by him are reproduced in the brewers' year books,—no slight mark of confidence. Other anonymous articles in the same year books are, if internal evidence is worth anything, the product of the same pen (35, p. 41).

*The American Issue,* of November 27 and December 18, 1915, in parallel columns showed the striking similarity of Mr. Koren's writings with those that appeared in the brewers' year book.

### *Brewers Rally the Women with "Liberty"*

As Prohibition spread, and the brewers were making every frantic effort possible to save their busi-

ness existence and that of the saloon, the thought of women voters gave them pause. By 1919 they decided that it would be expedient, since women had got the vote in spite of their opposition—that it would be the better part of valor—to make an attempt to get them into the drinking fold, and Mr. Percy Andreae, the master organizer for the United States Brewers' Association, hit upon a plan of turning this female liability into a happy asset. A "sincere attempt" to mobilize women Mr. Andreae believed necessary to the brewing industry, and he spoke impressively of the "magnitude of our task." He had reported to the brewers in 1913:

> Women's liberty leagues have already been started in some of the larger cities. The plan is to ask every organization interested in this movement to form its women's auxiliary, and to enlist the sympathy, the enthusiasm, and the active influence of our women throughout the country. . . . Now, I have the strongest belief in the efficiency of our women, etc. (4, p. 360).

Hugh F. Fox, Secretary of the United States Brewers' Association, also had a scheme for exploiting the women. For helping to save an industry, described by Mr. Andreae as "face to face with absolute destruction," and facing the "incontrovertible truth" that "currying the favor of political parties, enlisting the support of political leaders, and relying on the promises of political wire pullers would not save them from ultimate destruction" (4

p. 361), Mr. Fox, speaking in 1913, had the following to suggest:

> Something along the line of a café-club that would serve as a family resort is needed. With the spread of woman suffrage, the women are going to pass judgment upon the saloon, and I do not believe that a place which is a reputable family resort is going to be opposed by the ordinary women (4, p. 365).

Again, the late Mr. Robert A. Wood's knowledge of the women's drinking place comes into evidence. On this question he stated:

> These advocates urge that we should have beer and wine sold to men and women in cafés, after the so-called "harmless" European model. Here again Licensing Board experience may shed light. Under the old order in Boston the majority of such places were hardly more nor less than licensed market places for prostitution. The sale of liquor was largely incidental. And, be it noted, only the lighter alcoholic drinks were current. These were not places in which young men and young women got drunk. They had only such measure of alcohol as would blur the better sensibilities and spur the worse. Beer and light wine would amply suffice to bring back these open abominations in our cities. . . . (68, p. 126).

Of women and drink, Charles W. Stiles, of the United States Public Health Service, says:

> During the war I was actively occupied with the anti-venereal campaign in protecting the

troops, and this experience persuaded me that strong drink and prostitution (hence venereal diseases) are Siamese twins (37, p. 39).

### *Liquor Interests Still Active*

"Liquor interests are still alive," according to Senator Arthur Capper (66, p. 160). In 1923 he wrote:

> Approximately forty organizations have sprung into existence since the advent of National Prohibition. The principal one of these organizations is the *Association Against the Prohibition Amendment,** which was active in a number of States during the recent congressional elections in an attempt to defeat members of Congress who had supported the existing Prohibition laws. All of these organizations distinctly disavow any connection with the former liquor interests. *Since the brewery interests would be the principal beneficiaries under any liberalization of the Prohibition law,** it will be extremely difficult for these organizations to prevent their activities from being used by the liquor interests for the furtherance of their aims.
>
> In several instances, notably in Ohio and Wisconsin, *former liquor organizations** have been working with them for the promotion of a common purpose. Congressman Clyde Kelly, of the Thirty-third Congressional District of Pennsylvania, recently said of the activities of the liquor interests in their efforts to defeat him for reëlection:

* The italics are mine.

> "In my own district I saw the power of the outlaws and the power of the people. *The Allegheny County Liquor Dealers' Association,** whose very existence is an insulting challenge to the Constitution and laws of this country, officially indorsed my opponent and supplied him with large sums of money, levied from license holders and bootleggers. Seventy-five thousand dollars was expended and every method known to polecat fighters was brought into use."

We find in reports an item that the distillers, in convention at Chicago on January 7, 1919, agreed to raise one billion dollars if necessary to beat the 1920 National Prohibition law (38, p. 377). In 1919, the brewers of Philadelphia had decided to continue the manufacture of 2.75 per cent beer, and passed resolutions declaring that such beer was non-intoxicating (38, p. 379). In the same year, the Connecticut Brewers' Association had announced that they would begin manufacture of beer of 2.75 per cent alcoholic content immediately (38, p. 379). Seven breweries operated by the Central Pennsylvania Brewing Company had begun the brewing of beer (38, p. 379), and the Brewers' Association of Massachusetts had adopted resolutions recommending that brewers begin the manufacture of 2.75 per cent beer (38, p. 379). In 1920, the Massachusetts State Legislature passed a bill providing for 2.75 per cent beer, but the measure was promptly

* The italics are mine.

vetoed by Governor Calvin Coolidge (38, pp. 383, 384). Also, in 1920, the New York Legislature succeeded in passing a 2.75 per cent beer bill, but the reaction against the measure was such that it was repealed in 1921 (39, 1925, p. 122).

The brewery interests have not been destroyed.

> On May 15, 1924, there were still in existence 991 breweries, although 130 breweries had been seized; 541 indictments prepared and forwarded to the Department of Justice; 172 bills for injunction prepared; 109 libels prepared and filed; 148 criminal prosecutions instituted; 133 convictions secured and pleas of guilty entered by brewery corporations and individuals; fines of $306,750 imposed upon brewers; and since July 1, 1921, $3,382,067 tendered by brewers in compromise of civil liability, and accepted. There are a large number of important wine cases pending involving illegal diversions of wines from bonded premises, and against sacramental wine dealers (39, 1924, p. 19).

In short, then, the Liquor Interests in general and the Brewing Interests in particular, have always conducted concealed propaganda which has deceived and misled many good people, as well as made use of their names, organizations, and publications—and those liquor interests are still alive and organized.

## CHAPTER XVI

### Proposals Other Than Prohibition

### *"Modification"*

In the preceding chapters I have tried to show that Prohibition is liberative, not restrictive, in setting free human energy and happiness, that it should keep us free from the thraldom of a drug habit, from the paralysis of inefficiency, from the political domination of the saloon. I know nothing that can add so much to the liberties of our people as a whole as Prohibition. America will never be truly free until wholly free from the slavery to alcohol that now limits and endangers our freedom to exercise the faculties with which "nature and nature's God" endowed us.

The next question is, What is the best way to secure this greater liberty to live? In other words, what is the best way to cut ourselves free from the evils of alcohol? Will a modification of the Volstead act permitting light wines and beer do this?

Assuming, for the moment, that we could modify this act without also modifying the Eighteenth Amendment, the answer, it seems clear to me, is distinctly in the negative; first, because so-called

light wines and beer are plenty strong enough to do great harm, and, second, because experience has shown that to bring back light wines and beer would bring back stronger drinks as well. It would bring back the saloon in full force, unless our Government played the rum seller.

Georgia, in 1908-16, tried the experiment of forbidding distilled liquor, but of allowing light or near beer. It failed. Judge Broyles, then of the police court, Atlanta, said:

> A near-beer law is practically unenforceable, as you can not have a chemist with every barrel to see that the beer is light. Besides, men can get drunk on 2 per cent beer if they take enough of it.

### *Government Distribution*

Government distribution, also, has been tried, and usually has failed. It was competently denied at the Prohibition hearings in Washington during 1926 that this system has cured some of the abuses of Prohibition in Canada. The main witnesses in favor of the dispensary system admitted that it did not diminish, but rather increased, the total alcohol consumed.

As to this system, Mrs. Elizabeth Tilton asks the following pertinent questions:

> No. 1. If the Quebec, or Dispensary System, is a panacea, how comes it that the chief Catholic organ of the Province of Quebec says

that the government by putting its seal of approval upon drinking has almost annihilated the work of the Church through years of teaching temperance and sobriety?

No. 2. How comes it, if the cure for bootlegging, or even its diminution, is the Quebec System, that bootlegging in Quebec is on the increase and complaints of liquor law violations have almost trebled between 1922 and 1925?

No. 3. How comes it, if government sale decreases consumption, that government liquor shops have increased from 64 in 1922 to 90 in 1925? (Benjamin Spence.)

No. 4. How comes it that, if Prohibition causes crime to increase and government sale causes it to decrease, we read in the Montreal Press such headlines as "Montreal the Mecca for Crooks" and again we read "A veritable avalanche of outlawry, hold-ups, robberies, has descended upon the city"?

No. 5. How comes it, if government sale is any sort of solution, that a Mayor of Winnipeg where they had Prohibition and now have government sale says "while conditions under Prohibition were bad, the present conditions are a thousand times worse"?

No. 6. Lastly, if government sale decreases drinking, how comes it that the Province of Quebec, according to Ben Spence, consumed in 1925, 27,369 gallons more of absolute alcohol than in 1924?

### *Issue in Fall Elections of 1926*

Examining the accumulation of proposed measures and resolutions that prompted the 1926 Pro-

hibition hearings in Washington, we come upon old familiar phrases, in bills variously providing for a national referendum; for abolishing the one-half of one per cent alcoholic limit and substituting a limit to be known as "intoxicating in fact"; for repeal of the Volstead act; for allowing the manufacture and use of high-proof spirits for other than beverage purposes; for changing the powers of Congress from "Prohibition" to "Regulation"; for striking out one-half of one per cent and substituting 2.75 per cent; for allowing 4 per cent beer (1, pp. 4-6).

Modifications according to these proposals formed an issue, not only in the fall congressional campaign of 1926, but in state referenda in New York, Wisconsin, Montana, Nevada, Colorado, and elsewhere.

As the struggle centers chiefly around the admission by law of an alcoholic solution of at least 2.75 per cent in beer, the fact of its intoxicating quality at such percentage is in point.

### *Character of 2.75 Per Cent Beer*

To go back to fundamentals on this question, we revert to the important scientific work on the subject done by Benedict and Miles. In Chapter VIII we saw, in a general way, how these investigators had proved that small doses of alcohol are injurious. Here we shall cite their specific work on 2.75 per cent beer. Dr. Francis G. Benedict of the Carnegie Institution of Washington says:

> We are all familiar with the sense of well-being after a meal. This is a common experience after taking practically all foods. Alcohol produces to a degree approximated by none of the regular food materials psychic effects of rather far-reaching significance. Certain of these, such as buoyancy and euphoria, are accountable for much of the pleasure derived from alcohol. Even its deep narcosis is enjoyed by those who would "drawn their sorrows"! A study of the physiological effects of moderate amounts of alcohol is essential, before forming an opinion as to whether this or that quantity is scientifically permissible. Social environment changes. Urban life has become intense. Great mechanical agencies involving human control now enter into human activities as never before. Man's normal reactions to such environment, and his reactions after "permissible amounts" of alcohol, require examination before a standard of 1864 (Dr. Anstie's) or indeed of 1903 (Prof. Abel's) can be considered as permissible in 1925 (40).
>
> With the prevailing tendency to dilute alcoholic liquors one would say: "Is it not possible to prepare a pleasurable beverage with an alcoholic content about one-half that of beer?" (40).

Dr. Walter R. Miles, also of the Carnegie Institution of Washington, conducted researches in an endeavor to meet exactly the point raised by Doctor Benedict. Dr. Miles states:

> The question of whether alcohol taken in very dilute form, for example 2.75 per cent

> solution by weight, exerts a measurable effect upon neuromuscular efficiency as determined under laboratory conditions is of two-fold importance. In the first place, as a scientific question, the answer will contribute to the understanding of the mechanism through which alcohol exerts its influence on the nervous system, since it seems probably true that the dilution in the beverage is similar to the dilution of the alcohol by the contents of the stomach. Secondly, the problem is one of practical interest, since the vast majority of the individuals throughout the world who use alcohol take it in rather dilute forms (26).

For his investigation of the 2.75 alcoholic percentage, Dr. Miles used first one subject well practiced in neuromuscular measurements. The generalized result of eleven series of experiments with this percentage of alcohol, each experiment lasting 4 hours, was that the subject's efficiency in all tests was lower than normal in the 2 hours following the ingestion of the alcohol dose (26, p. 202).

In studies of 30-minute periods (26, p. 272), swaying of the body was 23.4 per cent increased by 2.75 per cent alcoholic beverage. Coördination for pursuitmeter was 17.8 per cent less adequate, the eye-reaction time was 4.4 per cent slower and the eye-movement velocity 5.7 per cent slower; also code letters transliterated were 7.0 per cent decreased.

The same experiments were repeated on a group of men selected at random, and the results "thoroughly substantiated the direction and approximate

intensity of the more extended results reported on the one trained subject" (26, p. 260), and were also "in essential agreement with those obtained in the series of typewriting experiments in which the alcohol dosage was much more concentrated" (26, p. 260).

In these studies with the group, the amplitude of the knee-jerk was decreased 21.0 per cent by the 2.75 per cent alcohol solution in the first two hours after ingestion; the swaying of the body was increased 11.0 per cent; the coördination for pursuit-meter was 14.3 less adequate, and the code letters transliterated were 2.3 decreased (26, p. 273).

> It will be difficult to challenge the conclusion (said Dr. Miles) that these changes represent other than a decrease in organic efficiency due to depressive action of ethyl alcohol, inasmuch as such charges are regularly associated with decreased reflex irritability, slower reaction, less keen, *i.e.,* higher sensory thresholds, slower muscular movements, less adequate and accurate muscular control, and less agile mental operations. . . . (26, p. 272).
>
> *There is no longer room for doubt in reference to the toxic action of alcoholic beverages as weak as 2.75 per cent by weight.** (26, p. 275).

"War" beer, that is, beer containing 2.75 per cent alcohol by weight (3.5 per cent by volume)—so-called "light" beer—was also tested by Professor

* The italics are mine.

H. L. Hollingworth, of Columbia University (41, 2, 15, 1921), on six men during a period of two weeks. From the taking of 32 to 40 grams of alcohol in this form (the equivalent of 3 to 4 glasses of beer), he found that pulse-rate increased 8 per cent, steadiness of the outstretched arm decreased 68 per cent, tapping-rate of the forearm decreased 7 per cent, and coördination in placing a stylus in small holes decreased 6 per cent.

*Expert Opinion on 2.75 Per Cent Beer*

The following statements as to the intoxicating quality of 2.75 per cent beer have been culled by Miss Cora Frances Stoddard, unless otherwise indicated, from affidavits by scientific men submitted at the Hearings on the Prohibition Enforcement bill, now known as the Volstead Act, when it was being considered by the Sub-committee of the Committee on the Judiciary of the United States Senate in 1919 (42, 4, 2, 1926).

Arthur Dean Bevan, M.D., then President of the American Medical Association, made the following statement:

> The question as to whether or not beer containing 2.75 per cent alcohol is intoxicating is not only a matter of scientific medical opinion, but a matter of common knowledge and common sense. It is a matter of common knowledge that beer which has been heretofore sold in the United States, containing from 3.5 to 4.25 per cent alcohol, is definitely intoxicating.

> There can be absolutely no doubt but that beer containing 2.75 per cent alcohol is an intoxicating beverage in that an individual can become drunk on the amount that is frequently consumed.

Dr. William A. Evans, Professor of Sanitary Science, Northwestern University Medical School, from 1907 to 1911 Commissioner of Health of Chicago, Editor of "Health Department" of *The Chicago Tribune,* stated:

> It is my opinion that beer containing 2.75 per cent alcohol by weight is intoxicating.

William Geagley, Assistant Analyst for the Food and Drug Department of the State of Michigan stated:

> Deponent knows that such beer (3 per cent by volume) is intoxicating by reason of his many analyses conducted for criminal cases in this State; and he further knows that such beer is intoxicating by having tasted, sampled, and drunk the same, and that it has an intoxicating effect upon him personally.

Reid Hunt, M.D., Professor in the Department of Pharmacology in the Medical Department of Harvard University, and formerly of the Public Health Laboratory of the United States Public Health Service, after reviewing the results of careful experimental work with alcohol given in somewhat less than 2.75 per cent strength, stated:

> If by the term "intoxicating liquor" is meant a liquor which contains sufficient alcohol to cause, when the liquor is taken in amounts which are not unusually taken by men, distinct effects on the nervous system, the effects being characteristic of and due to the contained alcohol, I am of the opinion that beer containing 2.75 per cent by weight of alcohol should be classed as an intoxicating beverage.

George O. Higley, professor of chemistry, Ohio Wesleyan University, stated as his belief:

> 1. That the drinking of beer containing 3 per cent alcohol by volume often results in hilarious outbursts followed by surly behavior.
>
> 2. That in the stage of this excitation, often termed the "jolly" condition, the drinker loses his self-control, and often his self-respect, his actions becoming careless and even immoral.
>
> 3. That a larger dose of this same liquor may cause the subject to become quarrelsome.
>
> 4. That emotional manifestations of fear, jealousy, and hatred may be aroused without cause, so that crimes are committed.
>
> 5. That the subject who shows any of these departures from his normal condition is "intoxicated" in the proper meaning of that term though he does not stagger and is not "drunk" in the popular meaning of that term.
>
> 6. That he believes that a court may very properly hold as intoxicating not only whisky, brandy, and gin, but also beer, even if it contains alcohol to the amount of only 3 per cent by volume.

*The Chaos of Diverse State Alcoholic Standards*

Presumably the same amount of alcohol that intoxicates persons of other states intoxicates the citizens of New York State. The condition of chaos that would ensue if the alcoholic percentage permissible in beverages were left to be variously determined by the separate states is well described by Senator William E. Borah, who comments on the proposal in the New York rum referendum as follows:

> That would delegate or leave to the respective States the power and the authority to say whether or not a particular beverage was intoxicating. If the State fixes a percentage which makes it intoxicating, what is the Government of the United States to do? The Government of the United States is to remain silent. . . .
>
> The great debate that took place prior to the Civil War was over that one great question, whether or not the States should determine what laws should be enforced and what should not, under the Constitution of the United States. . . .
>
> Suppose the State of New York fixes a percentage of alcoholic content such as to be intoxicating. Shall the Congress of the United States and the officials of the United States, the custodians of the Constitution, acquiesce in the proposition and connive at its disregard of the Constitution? Shall we leave it to the State of New York, or to the State of Idaho, or to the State of California, to say when and how and to what extent the Constitution of the

United States shall be applied and enforced? It would make 48 standards. You might have a standard of 7 per cent alcohol in beverages in New York, and if so, they could ship their product to every State of the Union.

You might have a standard of 2 per cent alcohol in beverages in the State of Louisiana, and yet New York could send her 7 per cent product into the State of Louisiana against the standard which they had established there. We would have 48 different standards, no one guarding or protecting or enforcing or maintaining the Constitution, but 48 different States applying their different rules.

All this disturbance and all this debate are not for the purpose of securing non-intoxicating liquor. The people who are insisting upon this change are not insisting upon the change for the purpose of getting more non-intoxicating liquor; but wines and beer such as will give them their intoxicating drinks are to be allowed.

If this question is to be presented to the people, let us present it in such a way that it will raise the real issue, and either give or deny to them that for which they are asking, to wit, intoxicating liquor (30).

In a later speech, Senator Borah said also:

The Republican party was organized to stand for the Federal Constitution against this plea of "discretion" as to its enforcement in the different States. Mr. Lincoln, its real founder, stood firm against those of the North who would nullify the Constitution by leaving it to the States to "enforce it in that locality with its

> own peculiar condition"—as illustrated with reference to the Fugitive Slave Law. He stood against the South who under Calhoun would enforce the Constitution "in that locality with its own peculiar condition"—as illustrated with reference to the tariff law of 1828, and later on the slave cause.
>
> Now we have the leaders of the Republican party in the great Commonwealth of New York contending that they shall be permitted to enforce the Eighteenth Amendment "in that locality with its own peculiar conditions."
>
> To such dire expediency we resort and upon such transparent sophistry we would rely (30, *New York Tribune,* 7, 26, 1926).

We conclude that "modification" really means evasion or nullification, that so-called "light" wines, and even beer are intoxicating both medically and legally, and cannot be legally admitted under the Eighteenth Amendment.

### *The New York Referendum*

On the face of it, the plan for a referendum in New York State in the fall of 1926 (and similar proposals in other states) represented an honest attempt to ascertain public sentiment on Prohibition. Why should not the people have the chance to vote on the question? Why any opposition to the idea?

But a closer examination shows that the question is not as simple as it seems.

First, if the idea of a referendum is sound how does it happen that the question of Prohibition

alone should be so submitted? Would it be proper, for instance, for New York State to submit to a popular referendum the question as to Woman's Suffrage as provided for by the Nineteenth Amendment, the suggestion being that each state is to interpret that Amendment as it sees fit? Would it be proper for the State of South Carolina to submit to popular referendum the question as to negro franchise, the suggestion being that each state should interpret the Fifteenth Amendment as it sees fit?

Evidently such referenda would really represent an effort to nullify the Federal Constitution. The Civil War was fought to prevent such a degree of states' rights. The Fifteenth Amendment has been largely (and unwarrantably) nullified, but not by such presumptuous methods. We cannot, in decency, today ask our National Government to abdicate and let New York set a limit of 5 per cent or 10 per cent on alcoholic beverages while the rest of the country has one-half of one per cent. New York has more representation in Congress than any other state and has a perfect right to elect, if it wishes, such representatives as will try to modify the Volstead Act. But it certainly has no right to ask the nation to nullify that act within the borders of New York.

Secondly, it would add to that disrespect for law which the very proponents of such referenda profess to deplore. I agree with them that we have

too much disrespect for law already. Granted, for the sake of argument, that the Eighteenth Amendment ought never to have been in the Constitution and that it creates the disrespect for law claimed by its opponents, if we are now to leave it in, any proposal to allow an individual state to nullify its plain provisions or those of the enforcement acts tends greatly to increase that disrespect for law.

Thirdly, such a referendum is futile. Granted, for the sake of argument, that it faithfully pictures public sentiment in New York State, it has no binding effect any more than any other straw vote.

Fourthly, such a referendum tends to confuse and mislead thousands, perhaps millions, of people into imagining that the State has powers which it has not.

Fifthly, the result of such a straw vote is sure not to be representative. The number of votes cast is generally small, the dry votes especially. In a straw vote the "outs" are always more fully represented than the "ins." Many who believe in Prohibition fail to vote simply because they have Prohibition already. In fact, rather than write to such voters, at a cost of several hundred thousand dollars, urging them to go to the polls, the dry organizations have emphatically preferred to express their disapproval and contempt for this attempt of the Wets to put them "in a hole" by a voter's boycott, and have passed resolutions against all non-binding referenda, at the same time urging

the voters to participate in all genuine and *binding* referenda as in Montana, Colorado, and California. Until a binding referendum is provided for New York, why dangle before the voters any counterfeit referendum?

Sixthly, the New York referendum was fundamentally insincere in the suggestion that New York should be allowed to fix a far higher limit of alcoholic content than one-half of one per cent and yet make believe that such "light wines and beer" are "non-intoxicating in fact." Such beverages are "non-intoxicating in fact" only in the fond imagination of those who want them for the very "kick" which makes them intoxicating. Let no one mistake. The referendum aimed to secure intoxicating liquors by means of a legal pretense that they are non-intoxicating.

The straightforward, honest, way would be to propose repealing the Eighteenth Amendment. It is just because they know this cannot be done that the proponents of a referendum want to make faces at the Constitution for propaganda purposes only.

In short, the truth is these referenda are (1) nullifying, (2) disrespectful of the Constitution, (3) futile, (4) misleading, (5) unrepresentative, and (6) insincere.

The conclusion of this chapter is that, none of the wet proposals to modify the Volstead act is a practical proposition, since each requires a violation of the Eighteenth Amendment.

## CHAPTER XVII

### Prohibition Can Be Enforced

*Senate Sub-committee Rejects "Modification"*

After the extensive hearings in Washington in April, 1926, on the proposals to modify the Volstead act, and after the evidence had been briefed by the Wets and Drys, the Sub-committee on Prohibition of the United States Committee on the Judiciary returned its report in support of the Eighteenth Amendment as follows:

> The Eighteenth Amendment to the Constitution of the United States was ratified according to proclamation of the Secretary of State, January 29, 1919. We believe this amendment to be morally right and economically wise.
>
> So long as this amendment is a part of our fundamental law, it is the duty of all officers, legislative, executive, and judicial, to aid in its enforcement.
>
> The advocates of modification of the present Prohibition laws propose to weaken the same. They seek directly or indirectly to authorize the manufacture and sale of intoxicating beverages. This is contrary to the spirit and intent of the Eighteenth Amendment.
>
> The Constitution is a grant of power. Those

powers are limited and such limits are not to be transcended.

A national referendum is not provided for and it is our belief that it was not the intention of the framers of the Constitution that a national referendum would ever be attempted. No laws have been enacted which provide a machinery for the holding of such a referendum.

Wherefore, your sub-committee recommends that all of the above named joint resolutions and Senate bills and amendments thereto, be indefinitely postponed (43, 6, 4, 1926).

Such a verdict was hardly calculated to encourage the Wets in the Fall campaign of 1926. State referenda on National Prohibition are futile, and the Judiciary Sub-committee of the Senate declares that all talk of modifying the Volstead act is futile, because it contemplates passing an unconstitutional law.

### *Modification Laws of No Avail*

This brings us to the next stage in the argument, that Congress can not stultify itself by passing an unconstitutional law which pretends that light wines and beer are non-intoxicating. For in the last chapter the weight of scientific and legal testimony was shown to be against it.

The present situation is demoralizing enough, whether or not it is as demoralizing as was the saloon before Prohibition. But neither demoralization could compare for a moment with the utter

demoralization that would result if we submitted to the demand for liquor "with a kick in it," under the pretense that it is non-intoxicating.

The present limit of one-half of 1 per cent purposely draws the line on the safe side just as the "danger line" on the platform of a country railway station is purposely drawn on the safe side. Only those who want to get on the unsafe side can object.

Exactly how much above one-half of 1 per cent we could go without making what could reasonably be called an intoxicating drink would be difficult to establish. But this, too, is an idle question. For the one aim of those who wish light wines and beer, whether they realize it or not, is to cross that non-intoxicating line, wherever it is, and to secure at least a mild intoxicant—something with a real "kick." To raise the limit to three-fourths of 1 per cent or to 1 per cent would not satisfy them. The only thing that would satisfy them would not satisfy the Eighteenth Amendment. Those advocating an amendment to the Volstead act permitting light wines and beer without modifying the Constitution are either dishonest with themselves or with the public; for they are leading the public to expect something impossible of attainment, or, at any rate, unconstitutional. If, on the other hand, they advocate merely increasing the alcoholic content up to the limit that will pass muster as non-intoxicating, they will get no "light wines" at all,

for these run over 10 per cent, nor even any beer that a beer drinker would call beer.

*Repeal of Eighteenth Amendment Impossible*

Evidently the only legal method of introducing light wines and beer is through amending the Eighteenth Amendment, to permit these milder intoxicants. But such an amendment is quite out of the range of practical possibilities.

Whether the Prohibition sentiment has gained or lost during the last year of the Anti-Prohibition movement, no one pretends that it has lost enough to have the slightest chance of repealing the Eighteenth Amendment, and few reasonable people even pretend to believe that it will ever get that far. We must not forget that there are only six states to-day which may properly be called wet, that before National Prohibition came, thirty-five states had already adopted State Prohibition and that only thirteen states are needed to block repeal of the Eighteenth Amendment. Is there any Wet optimistic enough to imagine that he and his friends can convert all but thirteen states to his way of thinking?

*We Must Enforce*

If, then, the only method of bringing out light wines and beer is to repeal the Eighteenth Amendment, and if this is impossible, the only honorable course left is to enforce the law and take full advan-

tage of the many billions in economic income which that will bring about, to say nothing of better health, better morals, and greater national self-respect.

### *We Can Enforce*

But we are told that enforcement is impossible. Those who say this are for the most part those who *want* it to be impossible. Experience proves the contrary. It took a quarter of a century in Kansas to make Prohibition decently effective, but it was done. It was done in a shorter time in the State of Washington. It can be done in a much shorter time in the United States if we will "face the facts" and build on the experience of the past.

Federal Attorney Emory R. Buckner, of the city of New York, stated in his testimony, as reported in the Washington hearings, that the law could be enforced.

> "Won't you tell us what the present condition is, and give your recommendations?" was asked of him by Senator Reed.
>
> "Certainly," replied Mr. Buckner, "and I have no doubt, personally speaking, that the law could be enforced in my district if we had the right kind of machinery."

He also stated:

> "I think it would be easily enforced if people begin to go to jail in substantial numbers."

In many places Prohibition was at first better

enforced than it is now. This fact is apparently reflected in the death rates from the various diseases most closely associated with alcohol. For instance, the death rate per 100,000 in all registration cities from alcoholism averaged 5.0 for the four years preceding Prohibition, and then fell to an average of 2.9 for the first four years of Prohibition. During those four years, however, it rose from 1.4 the first year, to 4.5 for 1923, thus apparently registering a silent tribute to the laxities of law enforcement.

In Connecticut, one of the States that did not ratify, we find, as Professor Farnam testified, two cities, side by side, Bridgeport and New Haven, of about the same size and location, in one of which the law had been well enforced, and the other the contrary, simply because in one there had been the requisite machinery, and in the other, not. In Bridgeport the number of cases on court records of violations of the liquor law decreased until in 1924 they were only 162, while in New Haven the number increased and in 1924 was 328, double Bridgeport's. Moreover, of the New Haven cases, over 25 per cent were acquitted, against only 11 per cent in Bridgeport.

### *What Needs to Be Done*

As to the various means necessary for bringing about the effective enforcement, we have ample opportunity for expert advice. Mr. Buckner has made his suggestions for increasing the legal

machinery. We certainly need an enforcement act in New York, Maryland, and Massachusetts, Civil Service requirements for Prohibition officials, and more and better judges.

As to our judges, it is reported that one particular judge fined a bootlegger five cents and then gave the convicted man the money with which to pay the fine. Of course this is not representative. Fines have become severer and jail sentences have come oftener and have been longer; but there is still a great deal that can be improved in our judiciary.

To the criminal small fines mean less than an excise tax. To many foreigners who come in touch with our courts and learn through these courts of American ideals and institutions, the luke-warm attitude of certain judges does not foster respect for our government and they probably expect the same lack of severity if they should choose to violate other laws.

General Andrews should be granted by Congress the powers for which he asks essential to effect enforcement, also the wherewithal to exercise such powers.

There are several bills pending in Congress which he deems essential. Some are necessary to effect a complete reorganization of the Prohibition Unit; others are necessary to cut red tape. If he is to be held responsible, he must be given every opportunity to accomplish his task.

General Andrews began his work by effecting an

understanding with the Mexican government, on the problem of smuggling arising along the border. His effort to meet the same problem on the Canadian border, also his recent endeavors with the governments of Great Britain and other countries, should bring about better enforcement of the law against foreign smugglers.

Many, if not most, bootleggers are alien. It is they who do the most to cause disrespect for American law, having no respect for it themselves. I believe that *alien bootleggers who are caught should be deported.*

It appears that—with the advent of Prohibition —many schools have relinquished instruction on the physiological effects of alcohol. But if ever our youth needed scientific instruction it is now. Such education should be resumed and improved.

If the temperance organizations have relinquished, or curtailed, their popular educational work, it is because many friends of Prohibition—mistakenly assuming that the fight was over—have curtailed their subscriptions.

In connection with this question of educating public sentiment, should be mentioned the need of combating the fashion, among the wealthy in many places, of serving bootleg liquor in their homes. This custom apparently originated in the resentment of certain people against a law reflecting on their personal habits. It represents a spirit of defiance. Subconsciously these people were saying:

"We'll show you Prohibitionists! We are your superiors and propose to be superior to the law you put over on us." But, as the novelty and deviltry of it have worn off, the custom has become a burden which many would gladly be rid of if they had the moral courage. In my own acquaintance I know of several who would heartily like to see the custom dropped, but do not dare break it yet. Ultimately the custom will doubtless crumble as the conscience of the "scofflaws" asserts itself, over their sneaking patronage of the law-breaking bootlegger. Conscience will prick still more the instant the hostess begins to sense the fact that she is losing the respect of those whose respect she most values, even though they try to conceal that fact from her. Such is the lesson of Western experience and the same causes will produce the same effects in the East. The very moral cowardice which now keeps this silly custom alive will kill it as soon as a certain dead center of public sentiment is passed. Then a few courageous social leaders will be surprised to find how rapidly a good example once set will be followed.

This is primarily a woman's job; but the rich husband can help not only from moral motives, but from economic. He can be made to realize that Prohibition enhances his own income too much to justify imperiling its success and bringing back the saloon to diminish the profits in his own business. He can also be made to realize that his own disrespect

for law not only creates resentment among those too poor to do as he does, but sets a lawless example of which bolshevists, the enemies of private property, will not fail to take advantage.

This custom is perhaps the most important obstacle to the success of Prohibition. Although the class which practices the custom probably constitutes much less than one per cent of the population, to them it seems that "everybody is doing it" and the influence of their example is powerful.

### *"Obey the Law, Even If Bad"*

Success is purely a question of public sentiment. I entirely agree with those who say that we cannot enforce a law of this kind without a strong public sentiment behind it.

I also agree to a large extent with those who believe that, as a practical proposition, we shall get very little coöperation out of the legalistic precept that laws should be obeyed, right or wrong. Theoretically this is true, and the more it is recognized in practice, the better. But practically, among independent Americans, we do not get far merely by shouting, "Obey the law because it is the law, even if it is a bad law." The voters resent any idea of "theirs not to reason why!"

It is my firm conviction that a great tactical blunder has been made by those responsible for dropping the educational program, and turning to a mere law observance program. Prohibition made

its great strides when the evils of alcohol were stressed. It lost ground as soon as that emphasis was lost.

The public who had not already been converted to Prohibition, and who never understood the basic reasons for it have acquired the impression, from being preached to by judges and clergymen and exhorted to obey the law *merely* because it is law, that no other good reason for obeying this law exists. They have acquired the idea that this Prohibition law is a bad law, resting only on the whimsical ideas of fanatics. No one can be really enthusiastic over obeying a bad law believed to have been "put over" on an unsuspecting people.

What is needed now is to go back to first principles, to educate the public to understand that there is a reason and a good one. Here is a parable:

> Once upon a time there was a town on the outskirts of which a large field was enclosed by a high fence with signs to "keep out!"
>
> As a consequence of putting up the fence, many people wanted to get in. They hated the prohibition, "keep out!", and saw no reason for it.
>
> The fence was nearly battered down, whereupon the sign was changed to "Danger, Keep Out!" Even then some people resented the sign because they did not understand what the danger was. Finally over the sign was placed: "Dynamite stored here!" Then all but a very few foohardy people were content to "keep out."

> Those few who still insisted on their "personal liberty" to enter were restrained by the majority who said, "We would not prevent your entering if the result would be to blow up only yourselves. The reason we insist on compelling you to obey the law is that your disobedience would endanger the lives of others. Call it a restriction of your "personal liberty" if you will, but it is no real deprivation to you and it is a very real safeguard to us.

This parable, I believe, applies in every detail. We cannot make the people "keep out" until they know that they are playing with dynamite. For the rank and file, education is needed more than force. Reasonable people will obey the law when its reasonableness is demonstrated.

The trouble is that very few people really know how dangerous this alcoholic dynamite is. There are few popular books on the subject. Some time after Prohibition was adopted, I called on the telephone the publisher of Dr. Eugene L. Fisk's book, "Alcohol" (the best popular book in America on this subject), and was surprised and disappointed to find that Prohibition had not created much, if any, new demand for the book. The average man does not even know how little he knows on the subject. He is generally sure (1) that alcohol is a stimulant (2) that beer and even light wines are healthful rather than otherwise, (3) that his "thirst" for these is a natural one, and (4) that most people can use them in moderation without danger of using them

"in excess"—every one of which four notions is false and has been proved false. Nor does he realize that the interrelations of modern life inevitably involve us in the derelictions of a few. He needs to study the social cost of alcohol in poverty, inefficiency, crime, and vice.

### *Full Success Well Worth Waiting For*

When, ultimately, the majority in the East understands these things, even as well as do those in the West and South, Prohibition will become as popular here as there, and enforcement as easy. As in Kansas, the slogan will not be the elusive and hollow cry of "Personal Liberty," but "Better Boys and Better Business!"

It is idle to say that the law cannot change habits. By itself, of course, it can do little. But combined with education it can do much. Experience in the West proves this. We must remember: this is a scientific age. If the laboratory says "vitamines," the demand for tomatoes and cabbages increases forthwith. Who can doubt that Science will review every habit and custom? It is manifest destiny that alcohol will not survive this scrutiny.

Just how many good people are losing faith in Prohibition? There is the inevitable reaction that follows every reform. The Prohibition movement has always been something of a see-saw. First, the people see clearly the evils of the saloon and put it

out of business. Then we forget those evils, and see the evils of the illicit traffic, thereupon we abandon or modify Prohibition. Then the inevitable happens. The saloon comes back, and we begin all over again. Yet the general forward movement never seems to stop. With all its ups and downs, generation by generation, it goes on and upward substantially.

The best observer I know in Kansas said to me that National Prohibition may take a quarter of a century to blossom out fully, as did State Prohibition in Kansas, but that, even so, "it is well worth waiting for." A former health officer of Chicago told me that if we are now foolish enough to try light wines and beer, it will merely supply the object lesson needed to reconvert to Prohibition those who are now being influenced by the wet propaganda against it. Henry Ford tells us that the Wets help the Drys by drawing attention to the need of tightening up on Prohibition. General Andrews said in the hearings at Washington that a knowledge of the abuses of Prohibition would help enforcement.

Not only should education, both formal and popular, be pressed, but research. Every result contested should be retested until there can be no room for doubt left.

In short, we need more research and education, resulting in improved public understanding and

sentiment; constructive legislation, including Civil Service provisions, permitting better administration; and severer judgments in our courts.

*Summary*

What, then, is the situation? We may end as we began:

(1) Present conditions are intolerable and must be corrected.

(2) Even so, they are not as dark as they have been painted. Moreover, if we do ultimately correct them, they are now in the nature of temporary evils, destined to fade away in a few years, while the good from Prohibition will go on indefinitely.

(3) A great net good is already being realized, including over six billion dollars a year in cold cash values.

(4) Real personal liberty, the liberty to live and enjoy the full use of our faculties, is increased by Prohibition.

(5) Light wines and beer cannot be legalized without another Constitutional Amendment.

(6) No such Amendment can be passed.

(7) All that the Wets can possibly accomplish is laxity of enforcement or nullification; in other words, enormously to increase the very disrespect for law which they profess to deplore.

(8) Therefore, the only satisfactory solution lies in fuller enforcement.

(9) This can be accomplished, especially, with the aid of education—when we "face the facts."

Prohibition is here to stay. If not enforced, its blessings will speedily turn into a curse. There is no time to lose. Although things are much better than before Prohibition, with the possible exception of disrespect for law, they may not stay so. Enforcement will cure disrespect for law and other evils complained of, as well as greatly augment the good. American Prohibition will then go down in history as ushering in a new era in the world, in which accomplishment this nation will take pride forever.

## LIST OF AUTHORS, TITLES, AND PUBLISHERS


No.

1. Hearings: Before the Sub-committee of the Committee on the Judiciary, 69th Congress, 2 Volumes, 1660 pages, April 5-24, 1926.
2. The Prohibition Situation, Research Bulletin 5, Federal Council of Churches of Christ in America, N. Y., September, 1925.
3. Thomas Nixon Carver: The Present Economic Revolution in the United States. Little, Brown & Co., 1925.
4. Hearings: Brewing and Liquor Interests and German Propaganda. U. S. Senate, 1919.
5. Annual Report Bureau Internal Revenue. U. S. Treasury, 1923.
6. Ernest H. Starling: The Action of Alcohol on Man, chapter by Raymond Pearl on "Alcohol and Mortality." Longmans, Green & Co., N. Y., 1923.
7. Irving Fisher and Eugene Lyman Fisk, M.D.: How to Live. Funk & Wagnalls, New York, 18th Edition, 1926.
8. North American Review. Sept., Oct., Nov., 1926.
9. Methodist Board of Temperance. Clip Sheet. Washington, D. C.
10. Eugene Lyman Fisk: Alcohol. Funk & Wagnalls, New York, N. Y., 1917.
11. Ben H. Spence: The Case for Prohibition, Toronto, Ontario, 1925.
12. Walter A. Bastedo: Materia Medica, Pharmacology, and Therapeutics. W. B. Saunders Co., Philadelphia and London, 1918, 2nd Edition.
13. P. Laitines: Norman Kerr Lecture on the Influence of Alcohol on Immunity. Medical Record, lxxvi, 1909.
14. George Rubin: Journal of Infectious Diseases. 1904, i.
15. F. V. Fillinger: Med. Wochenschrift. 1912, xxxviii, p. 999. W. W. Weinburg: New York Medical Journal. Russky & Vratch, 1912, ii, p. 1324. N. Y. M. J. 1912, xvi, p. 1040.
16. George W. Crile: Blood Pressure in Surgery. J. B. Lippincott Co., Philadelphia, 1903.

Richard C. Cabot: Studies of the Action of Alcohol in Disease, Especially upon the Circulation. Med. News, lxxiii, 1903, pp. 145-153.

Dennig, Hindeland, and Gruenbaum: Deutsch. Arch. f. Klin. Med. 1909, xcvi, pp. 153-162.

Emilie Alexandross: Cor. Bl. f. Schweiz, Aerzte. 1910, xl, pp. 465-475.

Action of Alcohol During Febrile and Other Pathologic Conditions. Journal A.M.A., 1910, lv, p. 174.

17. J. Héricourt: The Social Diseases. Routledge, London, 1920.
18. Journal American Medical Association.
19. Cesare Lombroso: Crime: Its Causes and Remedies. Walter Scott, London, 1891.
20. Elie Metchnikoff: The New Hygiene. Keener, Chicago. 1906.
21. Raymond Dodge and Francis Benedict: Psychological Effects of Alcohol. The Carnegie Inst. of Washington, Pub. No. 232, 1915.
22. Henry Smith Williams: Alcohol. The Century Co., New York, 1909.
23. E. L. Transeau, C. T. Stoddard: Alcohol in Every Day Life. Amer. Issue Pub. Co., Westerville, Ohio.
24. Cora Frances Stoddard: Shall We Save Beer and Wine? International Reform Bureau, Washington, D. C., 1919.
25. Professor C. T. W. Patrick: In Quest of the Alcohol Motive. Popular Science Monthly.
26. Walter R. Miles: Alcohol and Human Efficiency. Carnegie Inst. Washington, Pub. No. 333, March, 1924.
27. Frankfurther: Psychologische Arbeiten. 1896 and 1904.
28. W. H. R. Rivers: The Influence of Alcohol and Other Drugs on Fatigue. Edward Arnold, London Interstate Med. Jour., xxiii.
29. Ernest Gordon: Russian Prohibition. Am. Issue Publishing Co.
30. William E. Borah: Address before Presbyterian General Assembly, Baltimore, Md., May 30, 1926. Quoted in New York *Herald Tribune*.
31. State v. Powell: 50 N.E. 900, 902, 58 Ohio St., 324, 41 L.R.A 854.
32. Kentucky Board of Pharmacy v. Cassidy, Crowley v. Christensen. 74 S.W. 730, 732, 25 Ky. Law Rep. 102 citing C. v. C., 137 U. S. 86, 11 Sup. Ct. 13, 34 L. Ed. 620.

33. In the case of State vs. Doe. 139, Pac., on p. 1170 the Supreme Court of Kansas.
34. Crowley vs. Christensen. 137, U. S.
35. Ernest Gordon: Studies and Documents of the Anti-Alcohol Movement. Boston, 1916.
36. J. A. Danielson: Prohibition As It Is. 1926.
37. National Daily.
38. Ernest H. Cherrington: The Evolution of Prohibition in The United States of America. The American Issue Publishing Co., Westerville, Ohio, 1920.
39. Ernest H. Cherrington: The Anti-Saloon Year Book. The American Issue Publishing Co., Westerville, Ohio.
40. Francis G. Benedict: Alcohol and Human Physiology, Carnegie Inst. Washington, reprinted Industrial and Eng. Chemists., xvii, 4, 428, April, 1925.
41. H. L. Hollingsworth: A Comparison of Alcohol and Caffeine. Therapeutic Gazette, Feb. 15, 1921.
42. The Pioneer: Toronto, Ontario, Canada.
43. U. S. Daily: Washington, D. C.
44. Robert E. Corradini: Broadway Under Prohibition. World League Against Alcoholism, 1924.
45. Henry W. Farnam in Yale Review. April, 1920.
46. American Issue. American Issue Publishing Co., Westerville, Ohio.
47. Bulletin, Metropolitan Life Insurance Co., New York, N. Y.
48. Washington Convention at the Woman's National Committee for Law Enforcement. April 10-11, 1924.
49. Henry Herbert Goddard: Feeble-Mindedness—Its Causes and Consequences. Macmillan, New York, 1920.
50. International Monats. f. Erforschung des Alkoholismus. July, 1904.
51. Citizen's Committee of One Thousand. New York, N. Y.
52. Percy H. Evans: The Record. American Institute of Actuaries, vol. xiv. pt. i, No. 29. June, 1925.
53. Literary Digest. New York.
54. Lady Astor in: Annals of the American Academy of Political and Social Science. Sept., 1923.
55. Elizabeth Tilton: Save America. Woman's National Committee for Law Enforcement, Boston, Mass.
56. J. Stump: Compilation of Tables.
57. Professor Von Strumpell: Journal Amer. Med. Assoc.
58. Dr. Johannes Leonhart: Journal Amer. Med. Assoc.

59. Bayer: Influence of Use of Alcohol on School Children. Vienna, 1899.
60. Schiavi: L'Abstinence, Nov. 13, 1909, Brescia, Italy.
61. Robert E. Corradini: The Bowery. World League Against Alcoholism, New York, 1923.
62. Robert E. Corradini: Saloon Survey, World League Against Alcoholism, New York, 1925.
63. Robert E. Corradini: The Passing of Saloons in N. Y. C. World League Against Alcoholism, New York, 1925.
64. Henry W. Farnam: The Liquor Problem. Houghton, Mifflin Co., Boston, 1905.
65. Wayne B. Wheeler: Abstract of Investigation of Brewery and Liquor Interest and German Propaganda. Senate Resolution, 307.
66. Senator Arthur Capper: Annals, American Academy, Sept., 1923.
67. John Koren: The Economic Aspect of the Liquor Problem. Annals, Amer. Acad. of Political Social Science, Sept., 1923.
68. Robert A. Woods: Notes About Prohibition from the Background. Annals, Amer. Acad. of Political and Social Science, Sept., 1923.
69. Robert E. Corradini: The Production and Consumption of Alcohol in the United States. Research Dept. W. L. A. A., 1926. (Not as yet published.)
70. Reports of the Prohibition Unit. Annual Reports of the Bureau of Internal Revenue. U. S. Treasury Dept.
71. Medico-Actuarial Mortality Investigation. Vol. 4, Part I, pp. 11-13. The Association of Life Insurance Medical Directors and the Actuarial Society of America. New York, 1914.
72. Percy H. Evans: Note on Mortality by Habits Representation. Transactions, Actuarial Society of America. October 10-11, 1918. Vol. 19, Part 2, No. 60; p. 235.

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